

Ordinance No. 01-51

**AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT
FOR BUILDING C OF THE CHATEAUX AT SILVER LAKE CONDOMINIUMS,
LOCATED AT 7815 ROYAL STREET EAST,
DESCRIBED AS LOT 23 OF THE AMENDED DEER VALLEY CLUB ESTATES,
IN PARK CITY, UTAH**

WHEREAS, the owners, Silver Lake Associates L.L.C., of the property at 7815 Royal Street East, located in the Northwest Quarter of Section 27, Township 2 South, Range 4 East, Park City, Utah and known as the Chateaux at Silver Lake Condominiums, have petitioned the City Council for approval of a record of survey plat for Building C; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on December 12, 2001 the Planning Commission held a public hearing to receive public input on the proposed record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on December 20, 2001 the City Council reviewed the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT.

1. On March 12, 1997 the Planning Commission approved a Small Scale Master Planned Development for the 78 unit condominium project known as the Chateaux at Silver Lake CUP, a Small Scale MPD. The property is subject to the Chateaux at Silver Lake CUP.
2. The Chateaux at Silver Lake project is located at 7815 Royal Street East and the property is zoned RD-MPD, Residential Development- Master Planned.
3. The property is subject to the Deer Valley Resort Seventh Amended and Restated Large Scale Master Planned Development Permit of April 14, 1993 and is included

on the 11/4/99 recorded Chateaux at Silver Lake record of survey plat as expandable area.

4. The proposed plat designates the type of ownership of this property as condominium ownership.
5. A financial guarantee for all public improvements, including all public trails and sidewalks, is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
6. On December 12, 2001 the Planning Commission held a public hearing on the proposed record of survey plat and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey and that neither the public nor any person will be materially injured by the proposed plat. The plat is consistent with the Park City Land Management Code and applicable State law regarding record of survey plats. The plat is consistent with the Planning Commission approval of the Chateaux at Silver Lake CUP, a Small Scale Master Planned Development.

SECTION 3. PLAT APPROVAL. The record of survey plat, known Chateaux at Silver Lake Condominiums Building C, at 7815 Royal Street East, is hereby approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the final form and content of the record of survey plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recording the record of survey plat.
2. All conditions of approval for the Chateaux at Silver Lake CUP, approved by the Planning Commission on March 12, 1997, shall continue to apply in full force and effect.
3. All Park City Standard Project Conditions shall apply.
4. All required financial guarantees, that have not already been posted, for the value of all public improvements to be completed, shall be provided to the City as a condition precedent to plat recording. All public improvements, including public trails and sidewalks, shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. The final condominium record of survey shall be recorded at the County within one

year of the date of City Council approval. If recordation has not occurred within the one year time frame this approval and the record of survey shall be considered null and void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 20th day of December 2001.

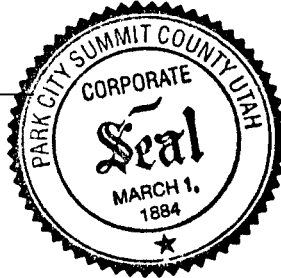
PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

SURVEYOR'S CERTIFICATE.

I, JAMES H. JONES, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HAVE COMPILED THE SURVEY MAP AND RECORD HEREON IN ACCORDANCE WITH THE PROVISIONS OF SECTION 24-4-1(1) OF THE UTAH CONSTITUTION AND SECTION 37-2-1(1) OF THE UTAH CODE ANNOTATED AND I AM NOT PROVIDING ANY OTHER SERVICE OR ADVICE TO ANY OTHER PARTY.



DATE: _____
BY: JAMES H. JONES, SURVEYOR

LEGAL DESCRIPTION

FORMER COMMON SPACE (UNIT IS IN) "BUILDING C"
The former common space (unit is in) "Building C" is a portion of the land described in the Survey Map and Record for the "Chateau at Silver Lake" located in Section 27, Township 2 South, Range 4 East, Salt Lake and Meridian Park City, Summit County, Utah. The former common space (unit is in) "Building C" is bounded on the north by the boundary of the former common space (unit is in) "Building A", on the east by the boundary of the former common space (unit is in) "Building B", on the south by the boundary of the former common space (unit is in) "Building D", and on the west by the boundary of the former common space (unit is in) "Building E". The former common space (unit is in) "Building C" is bounded on the north by the boundary of the former common space (unit is in) "Building A", on the east by the boundary of the former common space (unit is in) "Building B", on the south by the boundary of the former common space (unit is in) "Building D", and on the west by the boundary of the former common space (unit is in) "Building E".

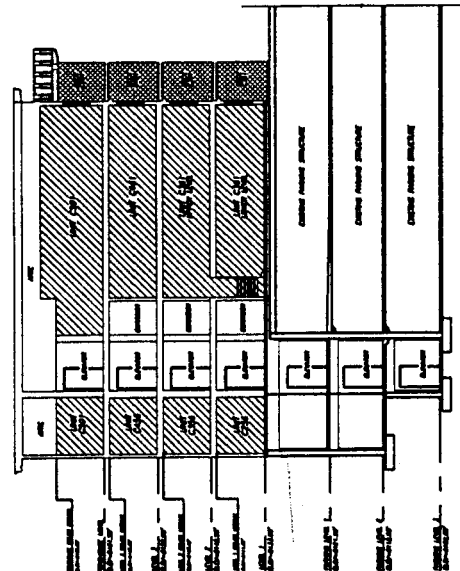
Drafting: S. JONES

**RECORD OF SURVEY MAP - BUILDING "C"
THE CHATEAU AT SILVER LAKE
AMENDED**

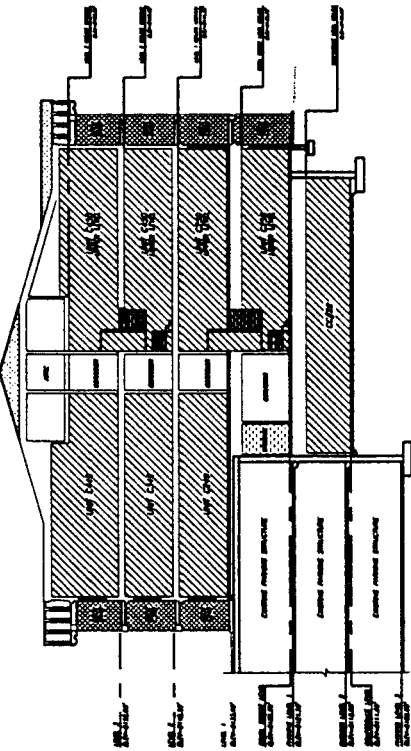
A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

**THOMPSON-HYSELL
ENGINEERS, INC.**
100 WEST CENTER STREET, SUITE 100, THOMPSONVILLE, UTAH 84603
PHONE: (435) 241-1234 FAX: (435) 241-5678
E-MAIL: THYSELL@THYSELL-INC.COM

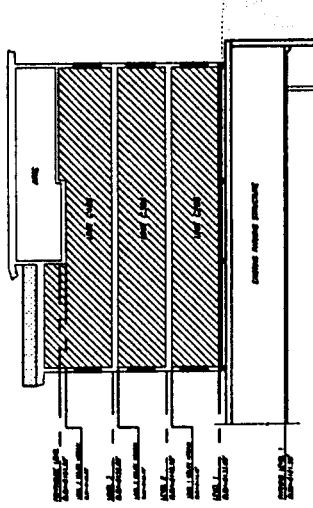
DATE OF ORIGINAL MAP: _____
DATE OF AMENDMENT: _____
PAGE: _____ OF _____
FILE: _____



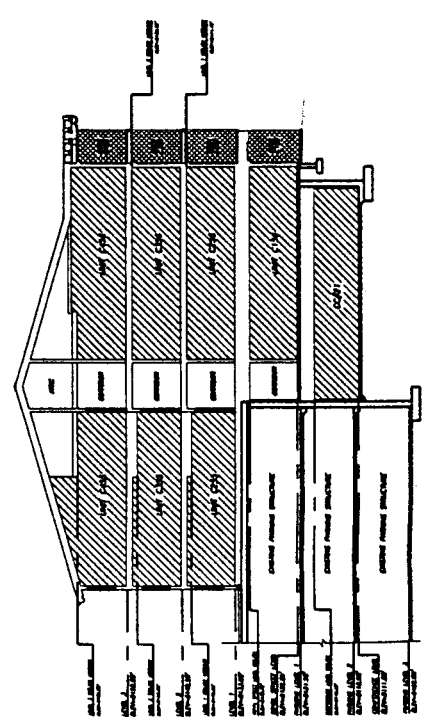
BUILDING SECTION ⊕



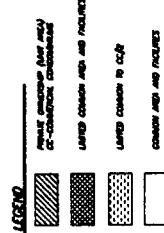
BUILDING SECTION ⊕



BUILDING SECTION ⊕



BUILDING SECTION ⊕



SURVEYOR'S CERTIFICATE:

I, BRUCE S. JONES, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR AND THAT I HAVE PERSONALLY EXAMINED THE RECORDS OF THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH, WHEREIN IS RECORDED THE ORIGINAL SURVEY MAP OF THE CHATEAUX AT SILVER LAKE, SECTION 27-4-11 (1) OF THE 1984 CONDOMINIUM ACT.



DATE: _____
 BRUCE S. JONES, P.L.L.C. J08010

LEGAL DESCRIPTION

FORMER CONVERTIBLE SPACE (PART OF A) "BUILDING C" FORMERLY USED AS OFFICE SPACE OF THE CHATEAUX AT SILVER LAKE, SECTION 27-4-11 (1) OF THE 1984 CONDOMINIUM ACT, SALT LAKE COUNTY, UTAH, AS SHOWN ON THE SURVEY MAP OF THE CHATEAUX AT SILVER LAKE, SECTION 27-4-11 (1) OF THE 1984 CONDOMINIUM ACT, SALT LAKE COUNTY, UTAH, AS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH, AND AS SHOWN ON THE SURVEY MAP OF THE CHATEAUX AT SILVER LAKE, SECTION 27-4-11 (1) OF THE 1984 CONDOMINIUM ACT, SALT LAKE COUNTY, UTAH, AS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH.

Containing 0.0000 Acres

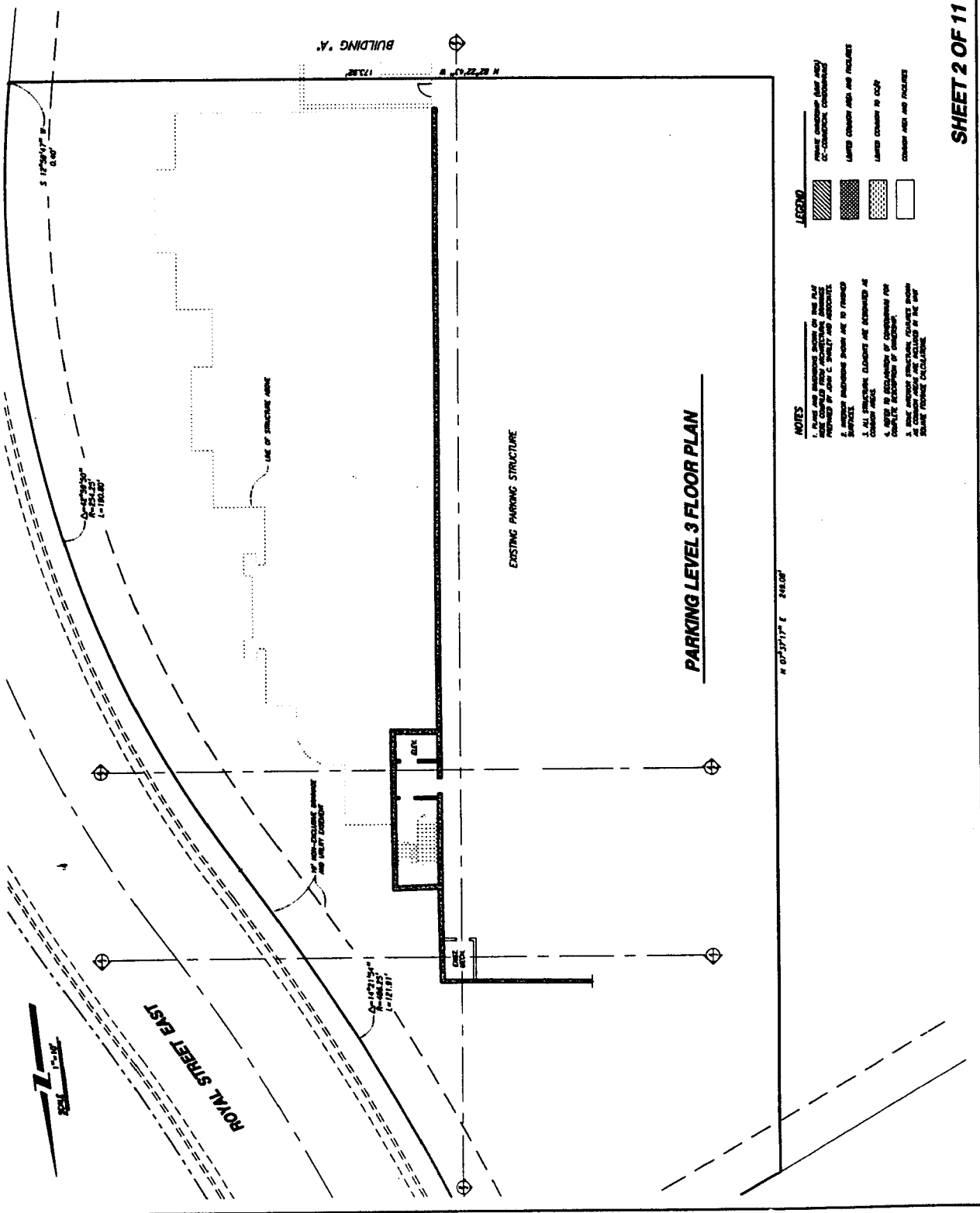
**RECORD OF SURVEY MAP - BUILDING "C"
 THE CHATEAUX AT SILVER LAKE
 AMENDED**

A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 27, TOWNSHIP 4 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE AND MERIDIAN, PARK CITY, SHARRET COUNTY, UTAH

**THOMPSON-HYSELL
 ENGINEERS, INC.**

100 WEST CENTER STREET, SUITE 100, SALT LAKE CITY, UTAH 84101
 (801) 533-1111

DATE OF THIS MAP: _____ FILED IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH, ON _____ AT _____ O'CLOCK _____ P.M. THIS DAY OF _____, 2007.



- NOTES**
1. PLANS AND DIMENSIONS SHOWN ON THIS PLAN ARE BASED ON THE SURVEY MAP OF THE CHATEAUX AT SILVER LAKE, SECTION 27-4-11 (1) OF THE 1984 CONDOMINIUM ACT, SALT LAKE COUNTY, UTAH, AS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH.
 2. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACES UNLESS OTHERWISE NOTED.
 3. ALL STRUCTURES, ELEMENTS AND DETAILS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE UTAH CONSTRUCTION CODE.
 4. REFER TO ACCOMPANYING SET OF CONSTRUCTION FOR COMPLETE DESCRIPTION OF STRUCTURE.
 5. THIS ARCHITECTURAL PLAN IS A PART OF THE RECORD OF SURVEY MAP OF THE CHATEAUX AT SILVER LAKE, SECTION 27-4-11 (1) OF THE 1984 CONDOMINIUM ACT, SALT LAKE COUNTY, UTAH.
- LEGEND**
- FRONT ENTRANCE (SEE PLAN)
 - LAND CONVEYED TO DEVELOPER
 - LAND CONVEYED TO OWNER
 - LAND CONVEYED TO CO-OP
 - CONVEYED AREA AND INCLUDES

PARKING LEVEL 3 FLOOR PLAN

SURVEYOR'S CERTIFICATE:

I, JOHN A. JONES, DO HEREBY CERTIFY THAT I AM LICENSED UNDER THE PROVISIONS OF THE STATE OF UTAH, PLANNING COUNTY, AND I HAVE BEEN DULY QUALIFIED BY THE BOARD OF SURVEYORS AND LAND ADJUSTERS OF THE STATE OF UTAH. I HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 31-4-13 (1) OF THE UTAH CONSTITUTION ACT.



DATE: _____
JOHN A. JONES, P.L.S. 12345

LEGAL DESCRIPTION

FORMER CONVERTIBLE SPACE (UNIT C5 (2) "BUILDING C")
This is a portion of the former convertible space (Unit C5 (2) "Building C") located in the southeast corner of the southeast quarter of Section 17, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah. The area is bounded by the following bearings and distances: N 0° 31' 17" E 248.00', S 12° 04' 14" W 172.00', N 82° 22' 28" W 172.00', and S 12° 04' 14" W 172.00'. The area is shown in the attached plat.

Created by: G.A. Jones

**RECORD OF SURVEY MAP - BUILDING "C"
THE CHATEAUX AT SILVER LAKE
AMENDED**

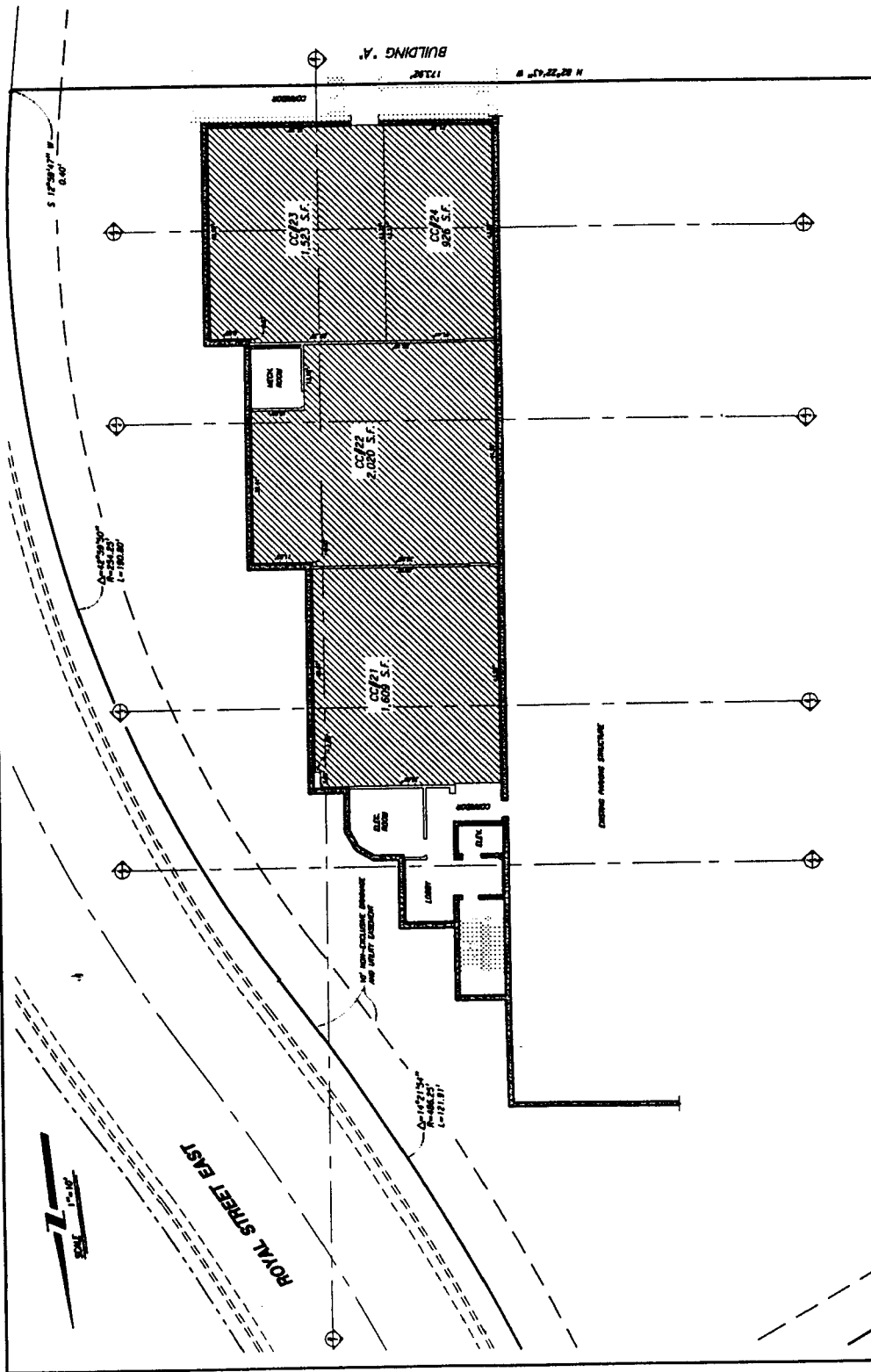
A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 17, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



**THOMPSON-HYSELL
ENGINEERS, INC.**

AN EQUAL OPPORTUNITY FIRM

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED IN THE OFFICE OF THE COUNTY CLERK
DATE: _____
PAGE: _____
BOOK: _____
SHEET: _____



- NOTES**
1. PLANS AND SPECIFICATIONS SHALL BE THE BASIS FOR CONSTRUCTION AND SHALL BE THE PROPERTY OF THE CLIENT. ALL RIGHTS ARE RESERVED BY THOMPSON-HYSELL ENGINEERS, INC.
 2. THESE DRAWINGS SHALL BE TO REMAIN THE PROPERTY OF THOMPSON-HYSELL ENGINEERS, INC. AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THOMPSON-HYSELL ENGINEERS, INC.
 3. ALL STRUCTURAL ELEMENTS ARE ASSUMED TO BE COMPLETELY SUPPORTED BY FOUNDATIONS.
 4. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 5. THESE DRAWINGS SHALL BE VALID FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT ONLY. ANY CHANGES TO THE PROJECT SHALL BE THE RESPONSIBILITY OF THE CLIENT.
- LEGEND**
- FINISH CONCRETE (NOT AREA)
 - CC-CONCRETE CONCRETE
 - LIMIT CONCRETE AND POLYMER
 - LIMIT CONCRETE TO COB
 - CONCRETE AND POLYMER

CONFERENCE LEVEL/PARKING LEVEL 2 FLOOR PLAN

SURVEYOR'S CERTIFICATE:

I, JAMES H. JONES, Surveyor for Summit County, Utah, do hereby certify that the foregoing plat is a true and correct copy of the original map as recorded in the office of the County Clerk of Summit County, Utah, and that the same is a true and correct copy of the original map as recorded in the office of the County Clerk of Summit County, Utah, and that the same is a true and correct copy of the original map as recorded in the office of the County Clerk of Summit County, Utah.

DATE: _____

THOMSON & JONES, P.L.L.C.

LEGAL DESCRIPTION:

PORTER CONSISTIBLE SPACE (UNIT C) (7) "TRAILING C"

Containing 0.4889 Acres

RECORD OF SURVEY MAP - BUILDING "C"

THE CHATEAUX AT SILVER LAKE

AMENDED

A UTAH CONDOMINIUM PROJECT

LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

THOMPSON-HYSELL ENGINEERS, INC.

100 SOUTH 100 EAST, SUITE 100, PARK CITY, UTAH 84302

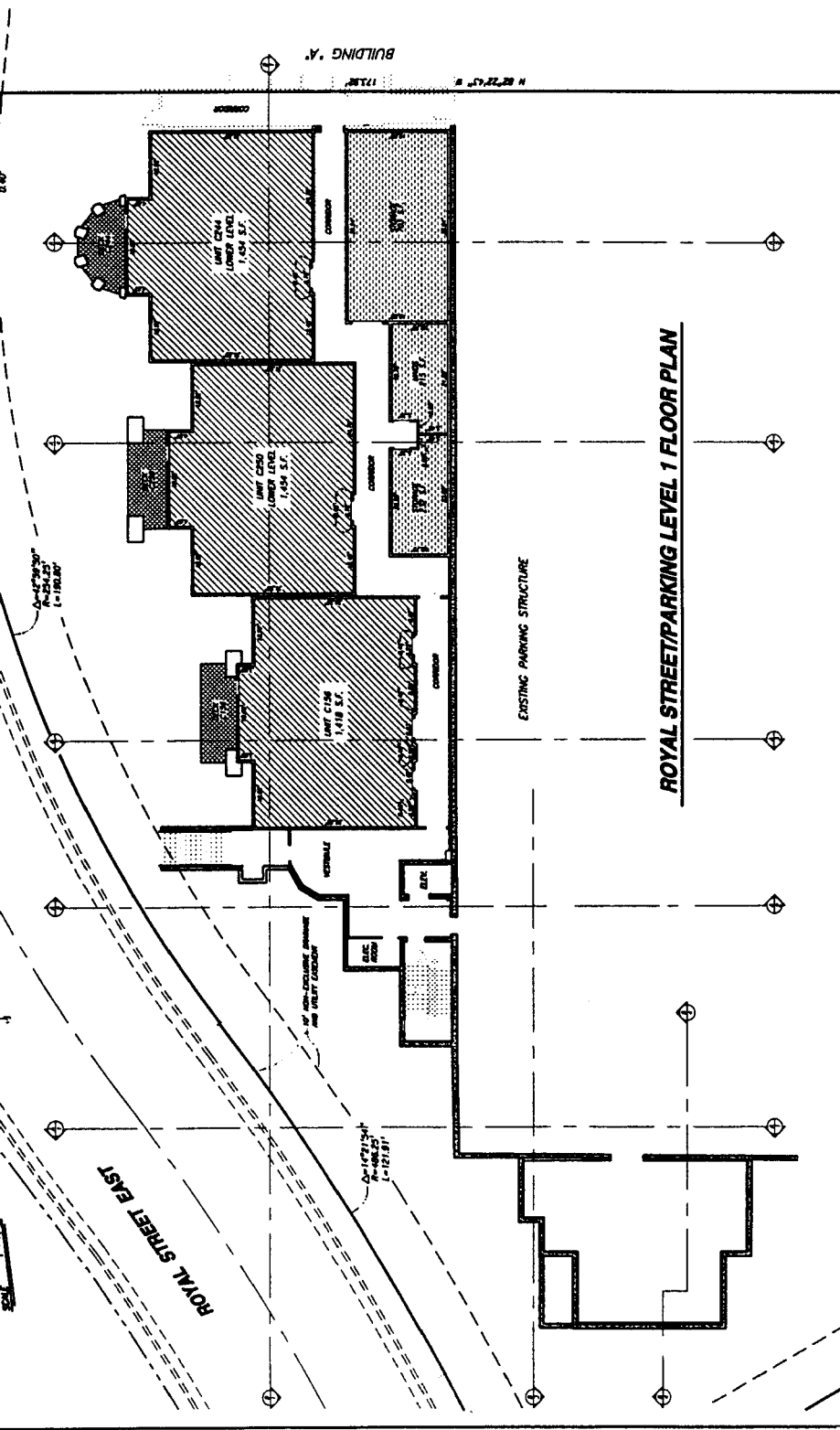
PH: (435) 798-8800 FAX: (435) 798-8801

DATE OF THIS COUNTY OF JAMES, RECORDED AND FILED IN THE OFFICE OF THE COUNTY CLERK OF SUMMIT COUNTY, UTAH

DATE: _____ TIME: _____

BY: _____

REC'D _____



LEGEND:

- FRAME CONCRETE (SEE PLAN)
- CC-CONCRETE CONCRETE
- LIMITED COMMON AREAS AND FACILITIES
- LIMITED COMMON IN CORP
- COMMON AREAS AND FACILITIES

- NOTES:**
1. ALL AREAS AND DIMENSIONS SHOWN ON THIS PLAN SHALL BE CONSIDERED UNLESS OTHERWISE NOTED BY JOHN L. SHIPLEY AND ASSOCIATES.
 2. ALL STRUCTURE DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 3. ALL STRUCTURE DIMENSIONS ARE INTENDED AS GIVEN UNLESS OTHERWISE NOTED.
 4. REFER TO RECORDS OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF CONDOMINIUM.
 5. THIS SURVEY AND MAP SHALL BE CONSIDERED VOID IF ANY DIMENSIONS OR CALCULATIONS ARE FOUND TO BE IN ERROR.

SQUARE FOOT TABLE

UNIT	COMMON AREA	FRAME AREA	CC-CONCRETE AREA	TOTAL AREA
UNIT 1010	1,004	1,451	1,451	2,455
UNIT 1020	1,004	1,451	1,451	2,455

SURVEYOR'S CERTIFICATE:
 I, JOHN B. JONES, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF IOWA, AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAN IN ACCORDANCE WITH THE PROVISIONS OF SECTION 54-4-13 (7) OF THE IOWA CONSTITUTION AND THE PROVISIONS OF SECTION 54-4-13 (7) OF THE IOWA CONSTITUTION ACT.

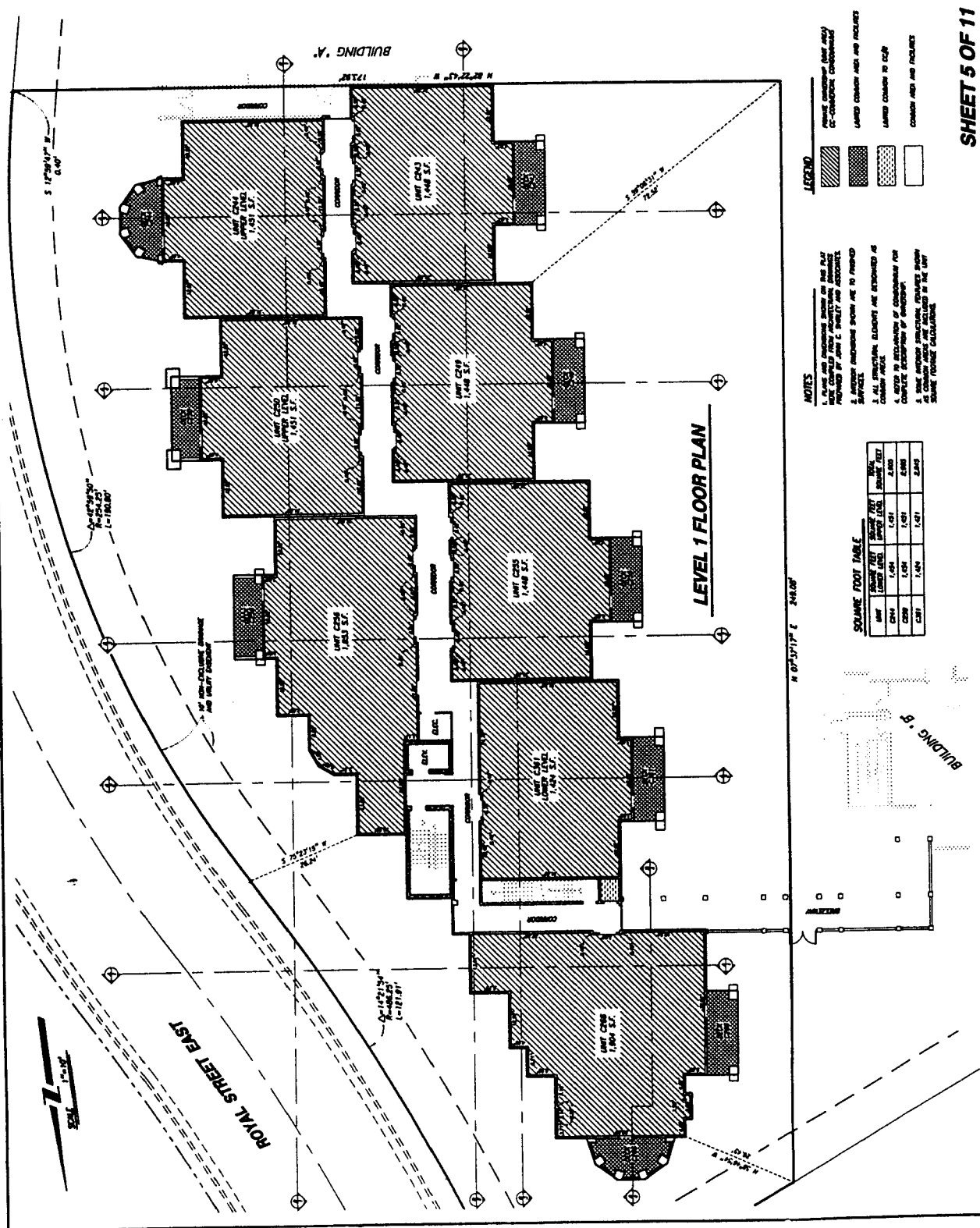


DATE: _____
 JOHN B. JONES, P.L.L. SURVEYOR

LEGAL DESCRIPTION
 FORMER CONVERTIBLE SPACE (UNIT C) IN "BUILDING C" (HEREINAFTER REFERRED TO AS "THE SPACE") IS BEING RECONVERTED TO CONDOMINIUM UNITS (HEREINAFTER REFERRED TO AS "UNITS") IN ACCORDANCE WITH THE PROVISIONS OF SECTION 54-4-13 (7) OF THE IOWA CONSTITUTION AND THE PROVISIONS OF SECTION 54-4-13 (7) OF THE IOWA CONSTITUTION ACT.

RECORD OF SURVEY MAP - BUILDING "C"
THE CHATEAUX AT SILVER LAKE
AMENDED
 A LOWR CONDOMINIUM PROJECT
 LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 1 EAST,
 SILEY LAKE BACE AND MERRILL PARK CITY, SUMMIT COUNTY, IOWA

THOMPSON-HYSELL ENGINEERS, INC.
 1000 UNIVERSITY AVENUE, SUITE 100, IOWA CITY, IOWA 52242
 PHONE: (319) 335-1111
 FAX: (319) 335-1112
 DATE OF THIS COUNTY OF IOWA, RECORDED AND FILED IN THE COUNTY OF IOWA: _____
 BY: _____
 COUNTY CLERK



LEGEND

- UNIT CONDOMINIUM UNITS (UNIT C)
- UNIT CONDOMINIUM UNITS (UNIT C)
- UNIT CONDOMINIUM UNITS (UNIT C)
- UNIT CONDOMINIUM UNITS (UNIT C)

NOTES

1. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
2. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
3. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
4. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
5. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
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7. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
8. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
9. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.
10. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACE.

SQUARE FOOT TABLE

UNIT	UNIT NO.	SQ. FT.	TOTAL
UNIT C201	1,448	1,448	1,448
UNIT C202	1,448	1,448	1,448
UNIT C203	1,448	1,448	1,448
UNIT C204	1,448	1,448	1,448
UNIT C205	1,448	1,448	1,448
UNIT C206	1,448	1,448	1,448
UNIT C207	1,448	1,448	1,448
UNIT C208	1,448	1,448	1,448
UNIT C209	1,448	1,448	1,448
UNIT C210	1,448	1,448	1,448
UNIT C211	1,448	1,448	1,448
UNIT C212	1,448	1,448	1,448
UNIT C213	1,448	1,448	1,448
UNIT C214	1,448	1,448	1,448
UNIT C215	1,448	1,448	1,448
UNIT C216	1,448	1,448	1,448
UNIT C217	1,448	1,448	1,448
UNIT C218	1,448	1,448	1,448
UNIT C219	1,448	1,448	1,448
UNIT C220	1,448	1,448	1,448
UNIT C221	1,448	1,448	1,448
UNIT C222	1,448	1,448	1,448
UNIT C223	1,448	1,448	1,448
UNIT C224	1,448	1,448	1,448
UNIT C225	1,448	1,448	1,448
UNIT C226	1,448	1,448	1,448
UNIT C227	1,448	1,448	1,448
UNIT C228	1,448	1,448	1,448
UNIT C229	1,448	1,448	1,448
UNIT C230	1,448	1,448	1,448
UNIT C231	1,448	1,448	1,448
UNIT C232	1,448	1,448	1,448
UNIT C233	1,448	1,448	1,448
UNIT C234	1,448	1,448	1,448
UNIT C235	1,448	1,448	1,448
UNIT C236	1,448	1,448	1,448
UNIT C237	1,448	1,448	1,448
UNIT C238	1,448	1,448	1,448
UNIT C239	1,448	1,448	1,448
UNIT C240	1,448	1,448	1,448

SURVEYOR'S CERTIFICATE:

I, **DAVID A. JONES**, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HAVE CONDUCTED THE SURVEY AND PREPARED THIS MAP AND RECORD IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH CONSTITUTION AND THE UTAH CONDOMINIUM ACT, AS AMENDED, AND THE PROVISIONS OF THE UTAH CONDOMINIUM ACT, AS AMENDED, AND THE PROVISIONS OF THE UTAH CONDOMINIUM ACT, AS AMENDED.



DATE: _____
 BY: **DAVID A. JONES**, P.L.S. JONES

LEGAL DESCRIPTION

FORMER CONVERTIBLE SPACE (UNIT C5 R) "BUILDING C"
 Building C is a portion of the former convertible space (Unit C5 R) "Building C" located in Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah. Building C is a portion of the former convertible space (Unit C5 R) "Building C" located in Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah. Building C is a portion of the former convertible space (Unit C5 R) "Building C" located in Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah.

Containing 0.0000 Acres

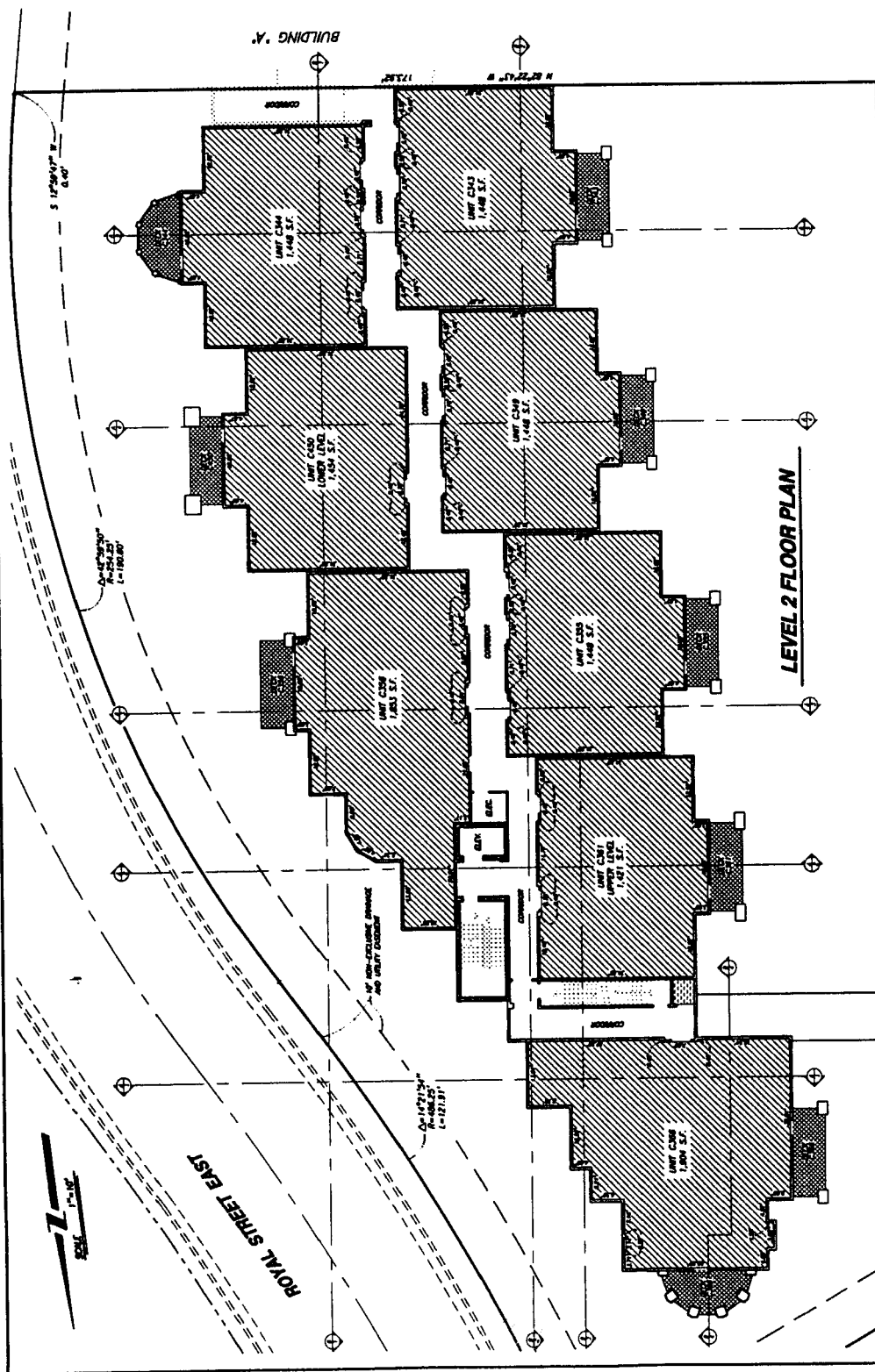
**RECORD OF SURVEY MAP - BUILDING "C"
 THE CHATEAUX AT SILVER LAKE
 AMENDED**

A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



**THOMPSON-HYSELL
 ENGINEERS, INC.**

DATE OF THIS MAP: _____
 DATE OF THIS MAP: _____
 DATE OF THIS MAP: _____



LEVEL 2 FLOOR PLAN

LEGEND

- FRANKLIN SQUARE (UNIT AREA) CC-CONDOMINIUM CHARTER
- UNITED COMMON AREA AND FACILITIES
- UNITED COMMON TO C-02P
- COMMON AREA AND FACILITIES

NOTES

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAN HAVE BEEN CHECKED FROM ARCHITECTURAL DRAWINGS PREPARED BY JOHN C. SMITH AND ASSOCIATES.
2. DIMENSIONS SHOWN ARE TO FINISH.
3. ALL DIMENSIONS, DIMENSIONS ARE EXPRESSED AS COMMON AREA.
4. REFER TO EXPLANATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF CONDOMINIUM.
5. SOME DIMENSIONS SHOWN, DIMENSIONS SHOWN ARE TO FINISH.

SQUARE FOOT TABLE

UNIT	SQUARE FEET (UNIT LEVEL)	SQUARE FEET (COMMON AREA)	TOTAL SQUARE FEET
C-101	1,424	1,427	2,851
C-102	1,424	1,427	2,851

SURVEYOR'S CERTIFICATE

I, JOHN A. JONES, AS SURVEYOR, COUNTY OF SAMMIS, STATE OF IOWA, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HAVE PERSONALLY AND INDIVIDUALLY EXAMINED THE SURVEY AND THE RECORDING MAP AND HAVE FOUND THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE IOWA SURVEYING ACT AND THE IOWA CONSTITUTION AND THAT I AM NOT AWARE OF ANY FACTS OR CIRCUMSTANCES WHICH WOULD RENDER THE SURVEY OR RECORDING MAP DEFECTIVE OR INVALID IN ANY RESPECT.



DATE: _____
JOHN A. JONES, P.L.S. (IOWA)

LEGAL DESCRIPTION

FORMER CONVERTIBLE SPACE (UNIT C5 (2) "BUILDING C")
Containing 0.0000 Acres

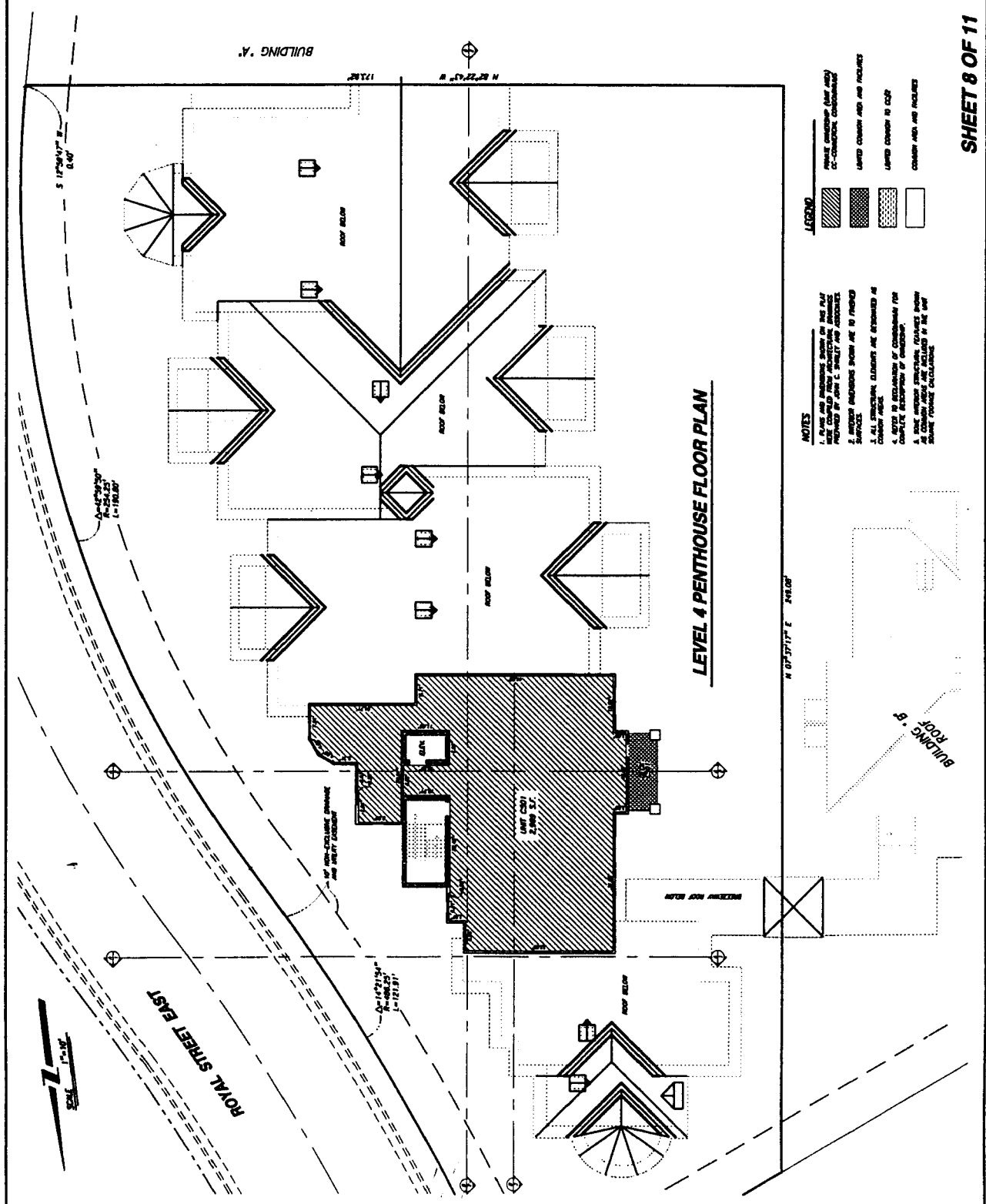
**RECORD OF SURVEY MAP - BUILDING "C"
THE CHATEAUX AT SILVER LAKE
AMENDED**

A URBAN CONDOMINIUM PROJECT
LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASIN AND NEBRASKA, PINE CITY, SAMMIS COUNTY, IOWA



**THOMPSON-HYSELL
ENGINEERS, INC.**
1001 WEST LEXINGTON AVENUE, SUITE 100, WASHINGTON, IOWA 52578

DATE OF MAP, COUNTY OF IOWA, RECORDING AND FILED IN THE OFFICE OF _____
BY _____ DATE _____ TIME _____
PAGE _____ OF _____
COUNTY RECORDS



LEVEL 4 PENTHOUSE FLOOR PLAN

LEGEND

	PRIVATE OWNERSHIP (UNIT AND C-COMMONS COMPONENT)
	UNIT COMMONS AND INCLUDES
	UNIT COMMONS TO COOP
	COMMON AREAS AND INCLUDES

- NOTES**
- 1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE AS SHOWN UNLESS OTHERWISE NOTED.
 - 2. ALL DIMENSIONS SHOWN ARE TO FINISH SURFACES UNLESS OTHERWISE NOTED.
 - 3. ALL DIMENSIONS ELEMENTS ARE DIMENSIONS AS SHOWN UNLESS OTHERWISE NOTED.
 - 4. ALL DIMENSIONS ELEMENTS ARE DIMENSIONS AS SHOWN UNLESS OTHERWISE NOTED.
 - 5. ALL DIMENSIONS ELEMENTS ARE DIMENSIONS AS SHOWN UNLESS OTHERWISE NOTED.
 - 6. ALL DIMENSIONS ELEMENTS ARE DIMENSIONS AS SHOWN UNLESS OTHERWISE NOTED.

SURVEYOR'S CERTIFICATE:

I, JOHN S. JONES, OF HENRY COUNTY, MISS., AM A REGISTERED LAND SURVEYOR AND THE STATE OF MISSISSIPPI HAS COMMISSIONED ME TO SURVEY AND RECORD THE ABOVE DESCRIBED MAP OF THE CHATEAUX AT SILVER LAKE, MISSISSIPPI, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 37-4-11 (1) OF THE MISSISSIPPI CONDEMNATION ACT.



DATE: _____
 JOHN S. JONES, P.L.S. (1984)

LEGAL DESCRIPTION

TOWNSHIP CONSISTENT SINCE (MAY 25, 1912) "BUILDING C"
 The above described property is situated in the Township of _____, County of _____, State of Mississippi, and is bounded by _____ on the north, _____ on the south, _____ on the east, and _____ on the west. The area of the property is _____ acres, more or less. The property is being surveyed and recorded in accordance with the provisions of the Mississippi Condemnation Act, Section 37-4-11 (1).

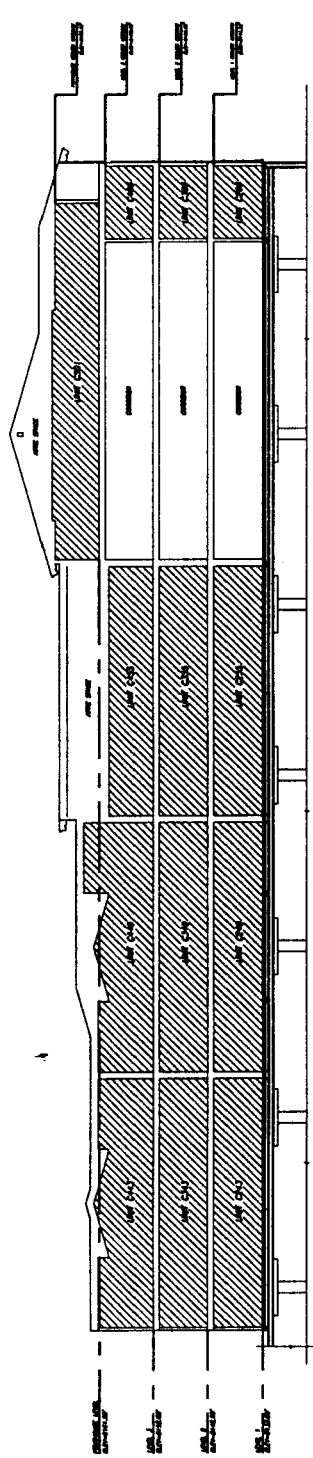
County: _____ Date: _____

**RECORD OF SURVEY MAP - BUILDING "C"
 THE CHATEAUX AT SILVER LAKE
 AMENDED**

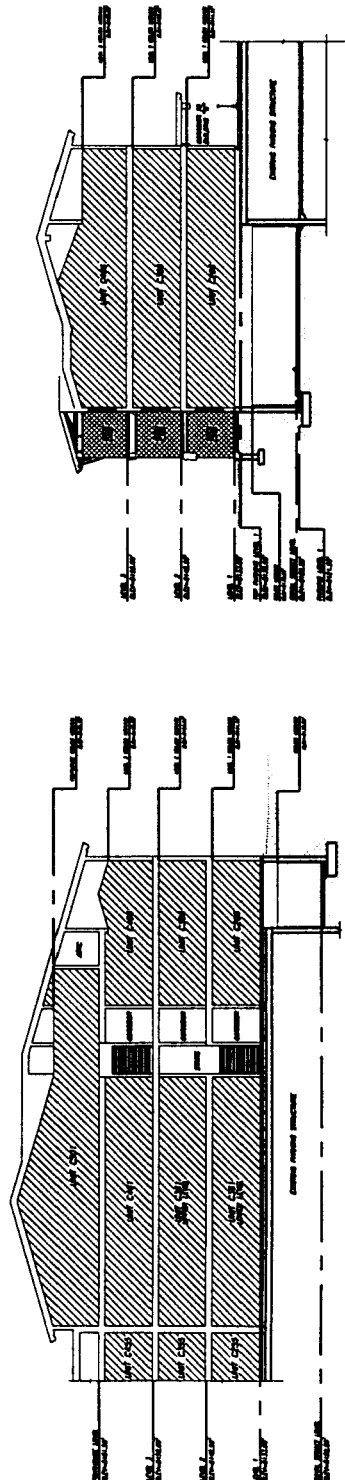
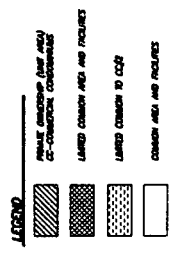
A URM CONDOMINIUM PROJECT
 LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SILVER LAKE AND MOUNDING PARK CITY, SUMMIT COUNTY, OHIO

**THOMPSON-HYSELL
 ENGINEERS, INC.**
 10000 STATE ROUTE 100, SUITE 100
 COLUMBUS, OHIO 43240
 PHONE: (614) 291-1111
 FAX: (614) 291-1112

DATE OF MAP, COUNTY OF MAKE, RECORD AND FILE BY THE OFFICE OF
 THE SURVEYOR
 FILE NO. _____
 SHEET NO. _____
 SHEET TOTAL _____



BUILDING SECTION ⊕



BUILDING SECTION ⊕

BUILDING SECTION ⊕

Ordinance No. 01-50

**AN ORDINANCE APPROVING AN AMENDMENT TO THE
RECORD OF SURVEY PLAT
FOR THE CALEDONIAN CONDOMINIUMS,
LOCATED AT 751 MAIN STREET,
IN PARK CITY, UTAH**

WHEREAS, the owners, Silver Lake Associates L.L.C., of the property at 7815 Royal Street East, located in the Northwest Quarter of Section 27, Township 2 South, Range 4 East, Park City, Utah and known as the Chateaux at Silver Lake Condominiums, have petitioned the City Council for approval of a record of survey plat for Building C; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on December 12, 2001 the Planning Commission held a public hearing to receive public input on the proposed record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on December 20, 2001 the City Council reviewed the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT.

1. On March 12, 1997 the Planning Commission approved a Small Scale Master Planned Development for the 78 unit condominium project known as the Chateaux at Silver Lake CUP, a Small Scale MPD. The property is subject to the Chateaux at Silver Lake CUP.
2. The Chateaux at Silver Lake project is located at 7815 Royal Street East and the property is zoned RD-MPD, Residential Development- Master Planned.
3. The property is subject to the Deer Valley Resort Seventh Amended and Restated Large Scale Master Planned Development Permit of April 14, 1993 and is included on the 11/4/99 recorded Chateaux at Silver Lake record of survey plat as

expandable area.

4. The proposed plat designates the type of ownership of this property as condominium ownership.
5. A financial guarantee for all public improvements, including all public trails and sidewalks, is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
6. On December 12, 2001 the Planning Commission held a public hearing on the proposed record of survey plat and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey and that neither the public nor any person will be materially injured by the proposed plat. The plat is consistent with the Park City Land Management Code and applicable State law regarding record of survey plats. The plat is consistent with the Planning Commission approval of the Chateaux at Silver Lake CUP, a Small Scale Master Planned Development.

SECTION 3. PLAT APPROVAL. The record of survey plat, known Chateaux at Silver Lake Condominiums Building C, at 7815 Royal Street East, is hereby approved as shown on Exhibit A, with the following conditions:

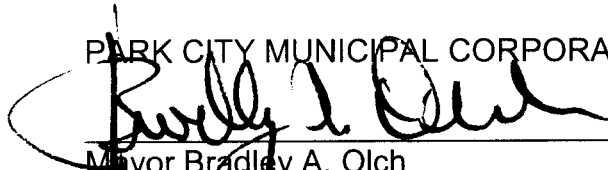
1. City Attorney and City Engineer review and approval of the final form and content of the record of survey plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recording the record of survey plat.
2. All conditions of approval for the Chateaux at Silver Lake CUP, approved by the Planning Commission on March 12, 1997, shall continue to apply in full force and effect.
3. All Park City Standard Project Conditions shall apply.
4. All required financial guarantees, that have not already been posted, for the value of all public improvements to be completed, shall be provided to the City as a condition precedent to plat recording. All public improvements, including public trails and sidewalks, shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. The final condominium record of survey shall be recorded at the County within one year of the date of City Council approval. If recordation has not occurred within the

one year time frame this approval and the record of survey shall be considered null and void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 20th day of December 2001.

PARK CITY MUNICIPAL CORPORATION

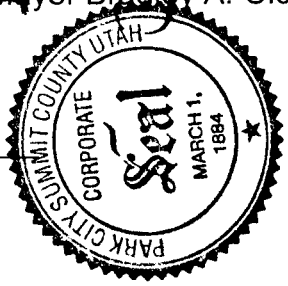


Mayor Bradley A. Olch

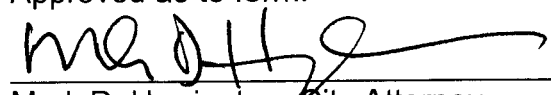
Attest:



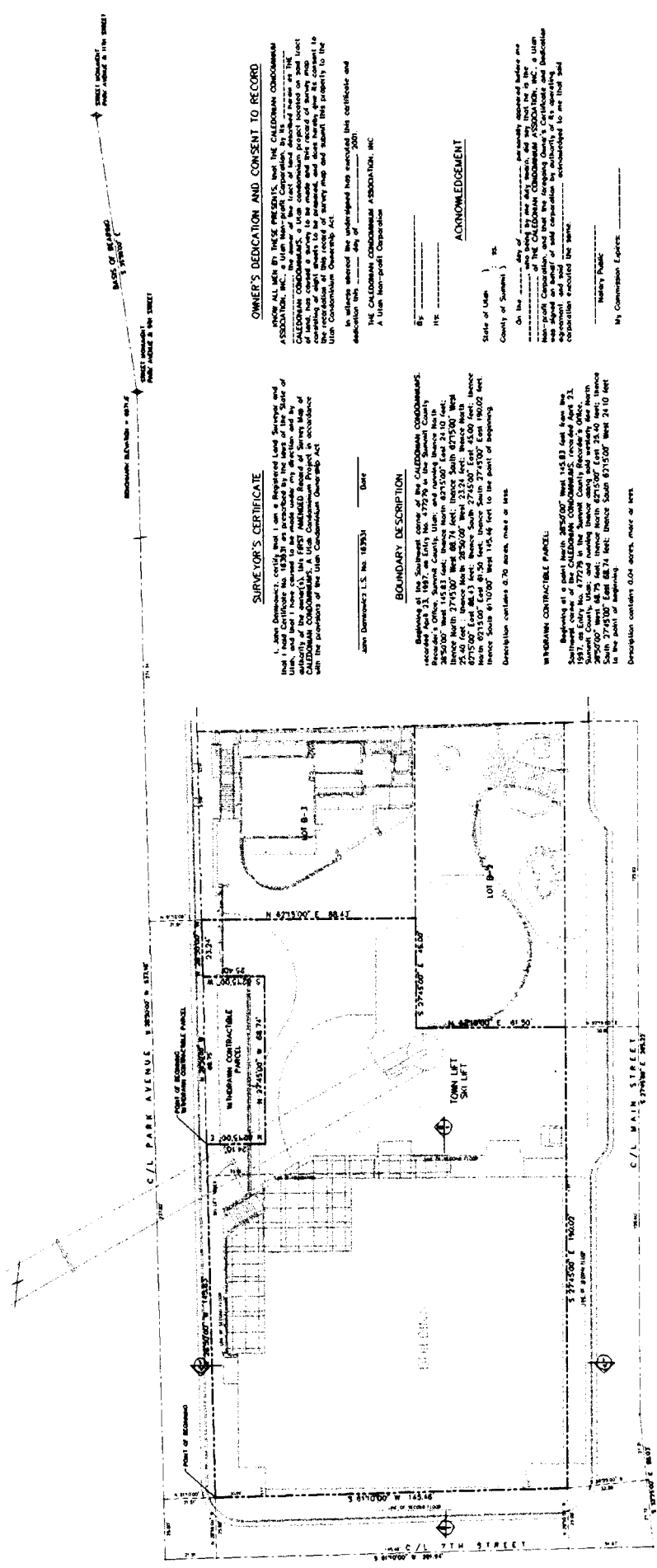
Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



RECEIVED
 DEC 13 2001
 PARK CITY
 PLANNING DEPT.

OWNER'S DEDICATION AND CONSENT TO RECORD

BEFORE ALL MEN IN THESE PRESENTS, the CALLEDONIAN CONDOMINIUM ASSOCIATION, INC., a Utah Non-Profit Corporation, by its duly authorized officers, the undersigned, do hereby certify that the CALLEDONIAN CONDOMINIUMS, a Utah Condominium Project, as shown on the attached plat, was created in accordance with the provisions of the Utah Condominium Ownership Act. In witness whereof the undersigned has executed this certificate and declaration this _____ day of _____, 2001.

THE CALLEDONIAN CONDOMINIUM ASSOCIATION, INC.
 A Utah Non-Profit Corporation

ACKNOWLEDGEMENT

By: _____
 HE _____
 State of Utah _____
 County of Summit _____

On this _____ day of _____, 2001, personally appeared before me _____, a Notary Public for the State of Utah, who being duly sworn, did declare that he is the duly authorized officer of the CALLEDONIAN CONDOMINIUM ASSOCIATION, INC., and that the foregoing Certificate and Declaration were signed in his presence and in full compliance with the provisions of the Utah Condominium Ownership Act. My commission expires _____.

SURVEYOR'S CERTIFICATE

I, John D. Bennett, being duly sworn, do hereby certify that the Survey and Plat of the Caledonian Condominiums, as shown on the attached plat, was created in accordance with the provisions of the Utah Condominium Ownership Act.

John D. Bennett, L.S. No. 1079731 Date _____

BOUNDARY DESCRIPTION

Beginning at the Southwest corner of the CALLEDONIAN CONDOMINIUMS, recorded March 23, 1997, as Entry No. 87729 in the Summit County Recorder's Office, Summit County, Utah, and thence South 10.14 feet to the intersection of the centerline of the Caledonian Condominiums, thence North 27°15'00" West 48.74 feet, thence South 67°15'00" West 25.40 feet, thence North 28°50'00" West 23.74 feet, thence North 67°15'00" East 48.74 feet, thence South 67°15'00" East 180.02 feet, thence South 67°15'00" East 145.46 feet to the point of beginning. Description contains 0.70 acres, more or less.

WINDHOLM CONTRACTIBLE PARCEL

Beginning at a point in the centerline of the Caledonian Condominiums, recorded March 23, 1997, as Entry No. 87729 in the Summit County Recorder's Office, Summit County, Utah, and thence North 67°15'00" East 25.40 feet, thence South 28°50'00" West 23.74 feet, thence North 67°15'00" East 48.74 feet, thence South 67°15'00" East 180.02 feet, thence South 67°15'00" East 145.46 feet to the point of beginning. Description contains 0.04 acres, more or less.

LEGEND

ST REPRESENTS SQUARE FEET.
 THE STREET DIMENSIONS FOR CALLEDONIAN CONDOMINIUMS
 DIMENSIONS STREET MOUNTAIN.

- GENERAL NOTES:**
- All conditions of approval for the Summit M.P.D. - Phase B apply to this property.
 - Maintenance of sidewalks adjacent to the Caledonian Condominiums is the responsibility of Caledonian Condominiums.
 - Common Area maintenance for B1, B2 and B3 is provided for by the attached and related covenants agreement received as entry no. 87729 in the Summit County Recorder's Office.
 - The purpose of this plat is to remove the Windholm Contractible Parcel from the condominium project to that certain First Amendment to Declaration and Covenants, Conditions and Restrictions to the Caledonian Condominiums, recorded as Entry No. 87729 in the Summit County Recorder's Office.
 - The Caledonian Condominiums is owned by a "Trustee" under the terms and conditions of the Caledonian Condominiums Declaration and Covenants, Conditions and Restrictions to the Caledonian Condominiums' Association.

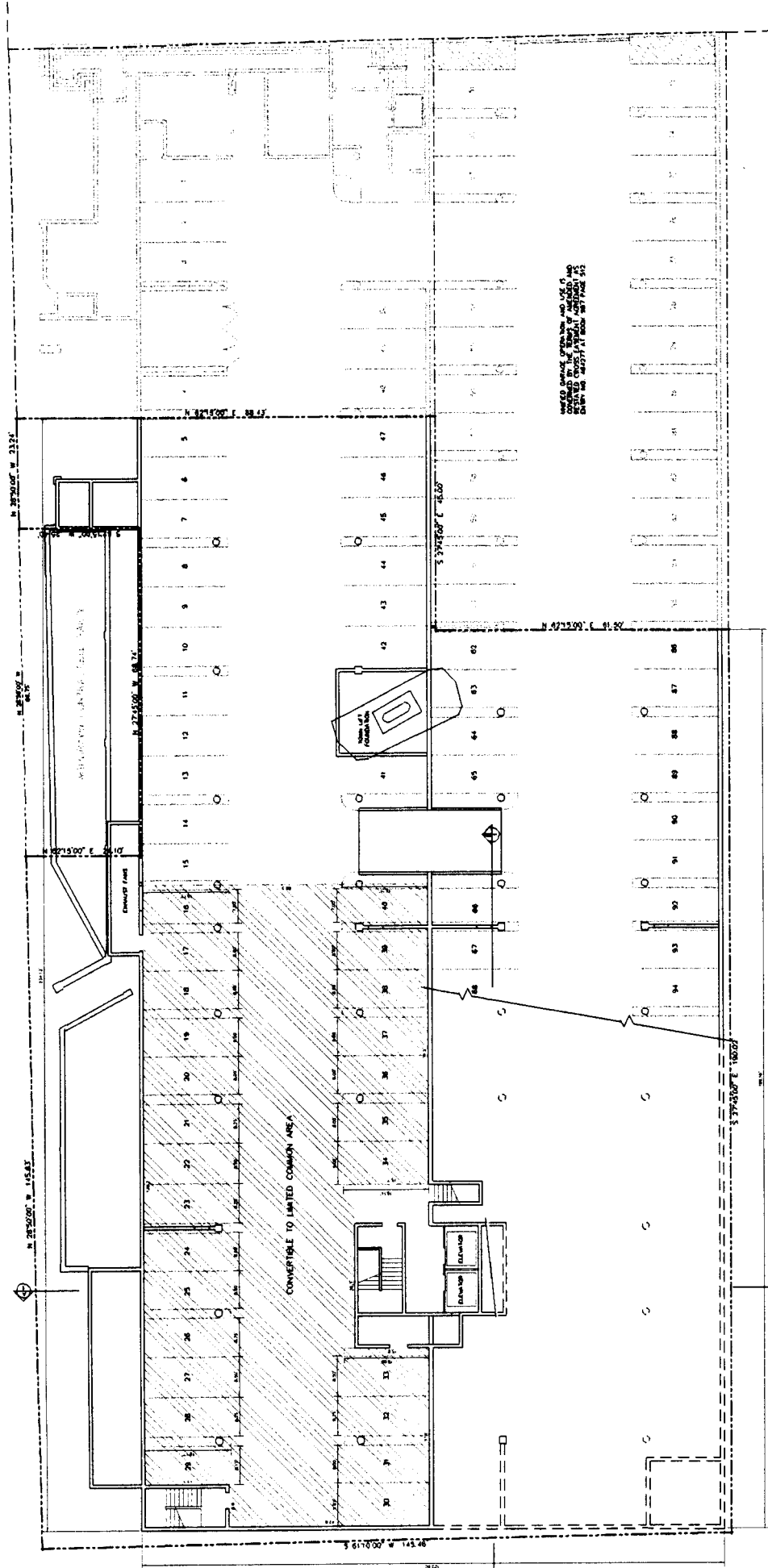


FIRST AMENDED RECORD OF SURVEY MAP
CALEDONIAN CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH,
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

JOB NO. 5 B 01 FILE: P-CALPI 1A.DWG ALLIANCE ENGINEERING INC. P.O. BOX 2684 323 MAIN STREET PARK CITY, UTAH 84060 (435) 640-2449	BY: S.B.S.T.D. DATE OF: _____, 2001 A.D.	BY: C. HANMAN DATE OF: _____, 2001 A.D.	BY: PARK CITY ENGINEER
SWYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWING FOR CONFORMANCE TO DISTRICTS BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS DAY OF _____, 2001 A.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2001 A.D.	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON HAND IN AN OFFICE ON _____, 2001 A.D.	BY: PARK CITY ATTORNEY
APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____, 2001 A.D.	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP IS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2001 A.D.	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2001 A.D.	BY: MAYOR
RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ PAGE _____ DATE _____ TIME _____ BOOK _____ PAGE _____	RECORDED FILE _____ RECORDERS		

EXHIBIT A.



OWNER OF THIS PROJECT HAS BEEN ADVISED BY THE STATE OF UTAH THAT THIS PROJECT IS SUBJECT TO THE UTAH CONDOMINIUM ACT, CHAPTER 106B, UTAH CODE ANNOTATED, WHICH IS APPLICABLE TO THIS PROJECT.

FIRST AMENDED RECORD OF SURVEY MAP

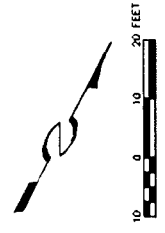
CALEDONIAN CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE EAST 1/4 SECTION 16
 TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASIN
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED
 DEC 13 2001
 PARK CITY
 PLANNING DEPT

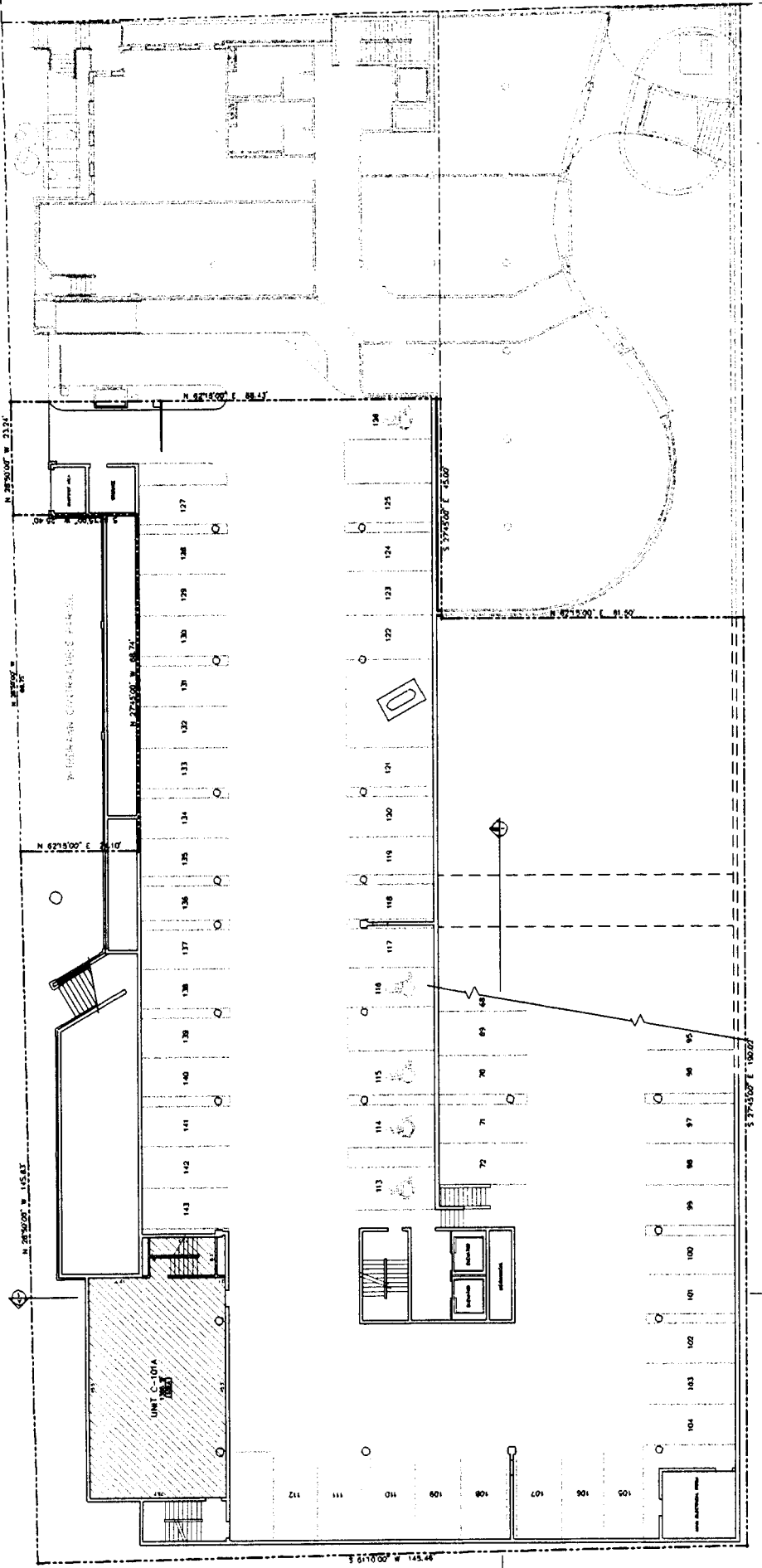
LEGEND
 S.F. REPRESENTS SQUARE FEET.
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS
 IS 25 MAIN STREET.

- AREA LEGEND
- COMMON AREA
 - UNIT AREA
 - LIMITED COMMON AREA
 - CONVERTIBLE TO LIMITED COMMON AREA



RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____ PAGE _____
 DATE _____ TIME _____ BOOK _____ FILE _____
 RECORDER _____

N 28°50'00" W 105'45"
 N 67°15'00" E 212'10"
 N 27°45'00" W 48'24"
 N 52°45'00" E 84'17"
 N 67°15'00" E 15'00"
 N 27°45'00" E 15'00"
 N 67°15'00" E 180'00"
 N 27°45'00" E 180'00"

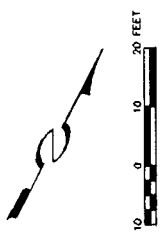


PARKING LEVEL 2

FIRST AMENDED RECORD OF SURVEY MAP
CALEDONIAN CONDOMINIUMS
 RECEIVED
 DEC 13 2001
 PARK CITY
 PLANNING DEPT.

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____ PAGE _____
 DATE _____ TIME _____ BOOK _____
 RECORDER _____
 FILE _____

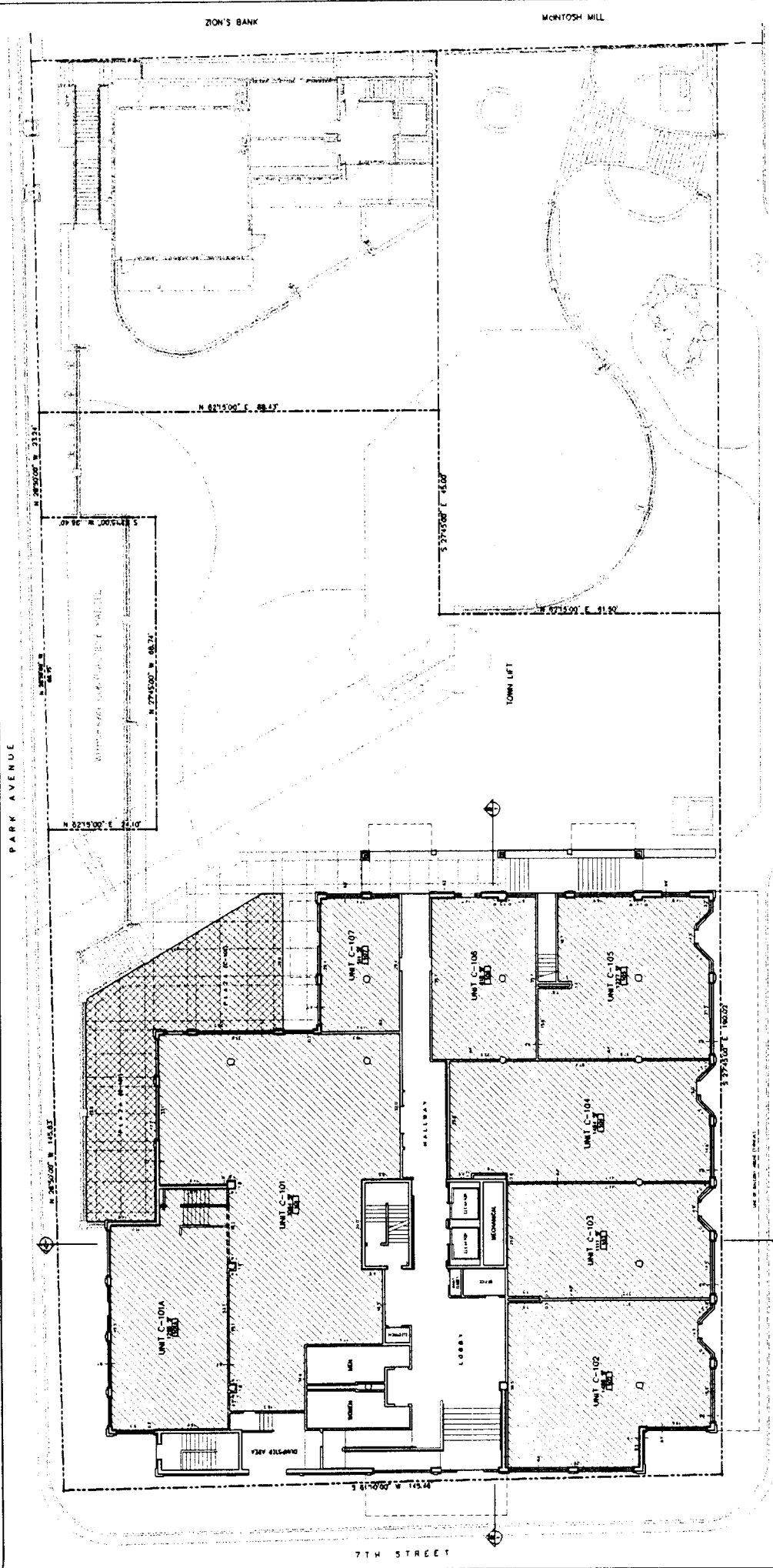
THIS IS A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE UNINCORPORATED SECTION 15
 TOWNSHIP 3 SOUTH RANGE 4 EAST, SALT LAKE BASE
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



LEGEND
 SF. REPRESENTS SQUARE FEET.
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS
 IS 751 MAIN STREET

AREA LEGEND
 COMMON AREA
 UNIT AREA
 LIMITED COMMON AREA
 CONVERTIBLE TO LIMITED COMMON AREA

JOB NO. S-15-01 FILE: P-CAD3-1A



FIRST AMENDED RECORD OF SURVEY MAP

CALEDONIAN CONDOMINIUMS

RECEIVED
 DEC 13 2001
 PARK CITY
 PLANNING DEPT. P-CALF-11

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____ PAGE _____
 DATE _____ TIME _____ BOOK _____
 RECORDER _____

ELEVATIONS FOR FLOOR AND CEILING UNIT BOUNDARIES

UNIT	FLOOR ELEVATION	CEILING ELEVATION
C-101	4993.0	7033.7
C-101A	4978.3	7033.7
C-102	4987.2	7033.7
C-103	4988.4	7033.7
C-104	4986.7	7033.7
C-105	4985.4	7033.7
C-106	4993.9	7033.7
C-107	4993.0	7033.7

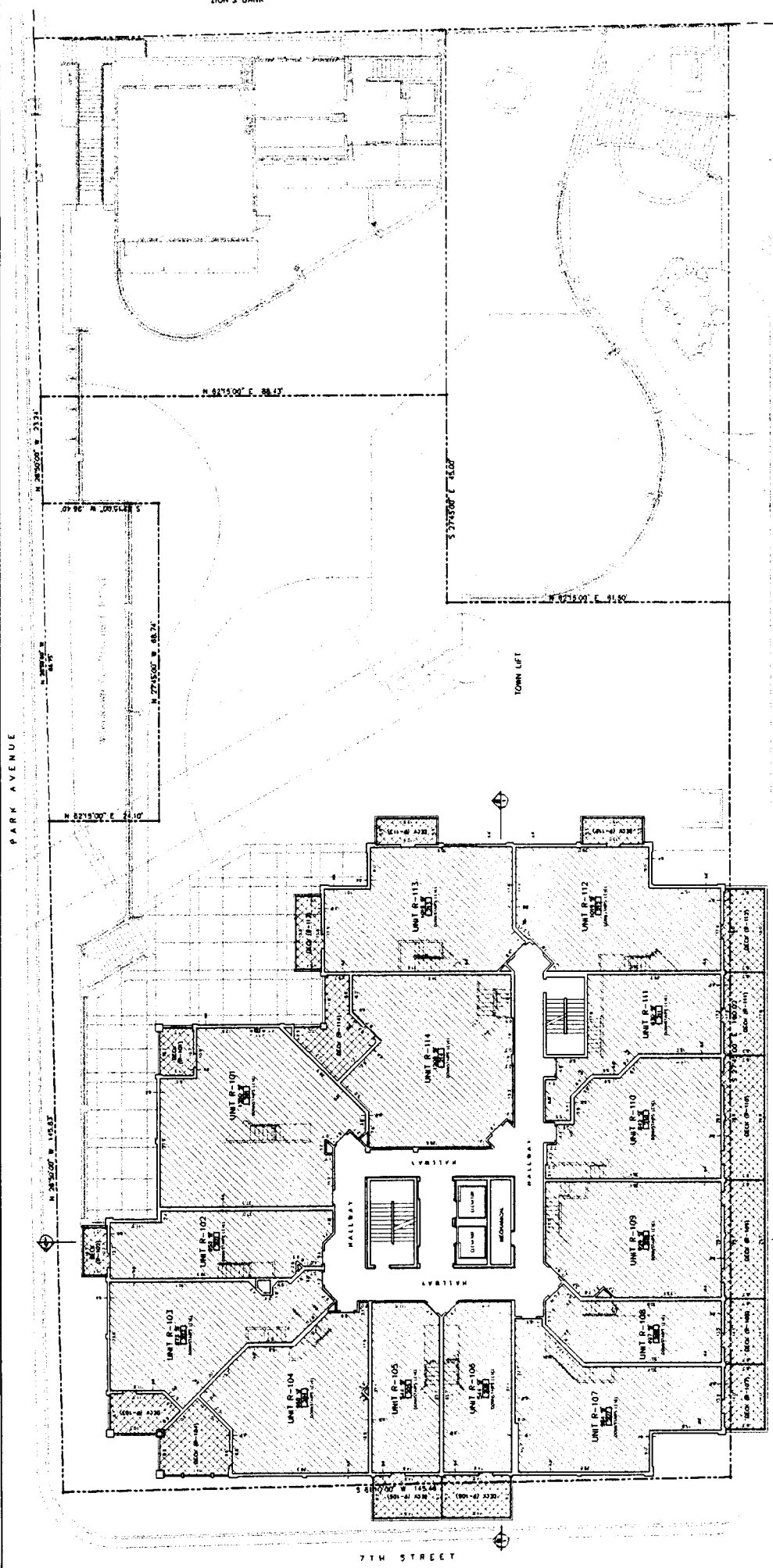
MAIN STREET



COMMERCIAL LEVEL

LEGEND
 SF REPRESENTS SQUARE FEET
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS
 IS 751 MAIN STREET

- AREA LEGEND
- COMMON AREA
- UNIT AREA
- LIMITED COMMON AREA
- CONVERTIBLE TO LIMITED COMMON AREA



FIRST AMENDED RECORD OF SURVEY MAP

CALEDONIAN CONDOMINIUMS

RECEIVED
 DEC 13 2001
 PARK CITY
 PLANNING DEPT.

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FIELD
 AT THE REQUEST OF _____ PAGE _____
 DATE _____ TIME _____ BOOK _____ RECORD _____
 _____ FEE _____

ELEVATIONS FOR FLOOR AND CEILING UNIT BOUNDARIES

UNIT	FLOOR ELEVATION	CEILING ELEVATION
R-101	7004.5	7023.1
R-102	7004.5	7023.1
R-103	7004.5	7023.1
R-104	7004.5	7023.1
R-105	7004.5	7023.1
R-106	7004.5	7023.1
R-107	7004.5	7023.1
R-108	7004.5	7023.1
R-109	7004.5	7023.1
R-110	7004.5	7023.1
R-111	7004.5	7023.1
R-112	7004.5	7023.1
R-113	7004.5	7023.1

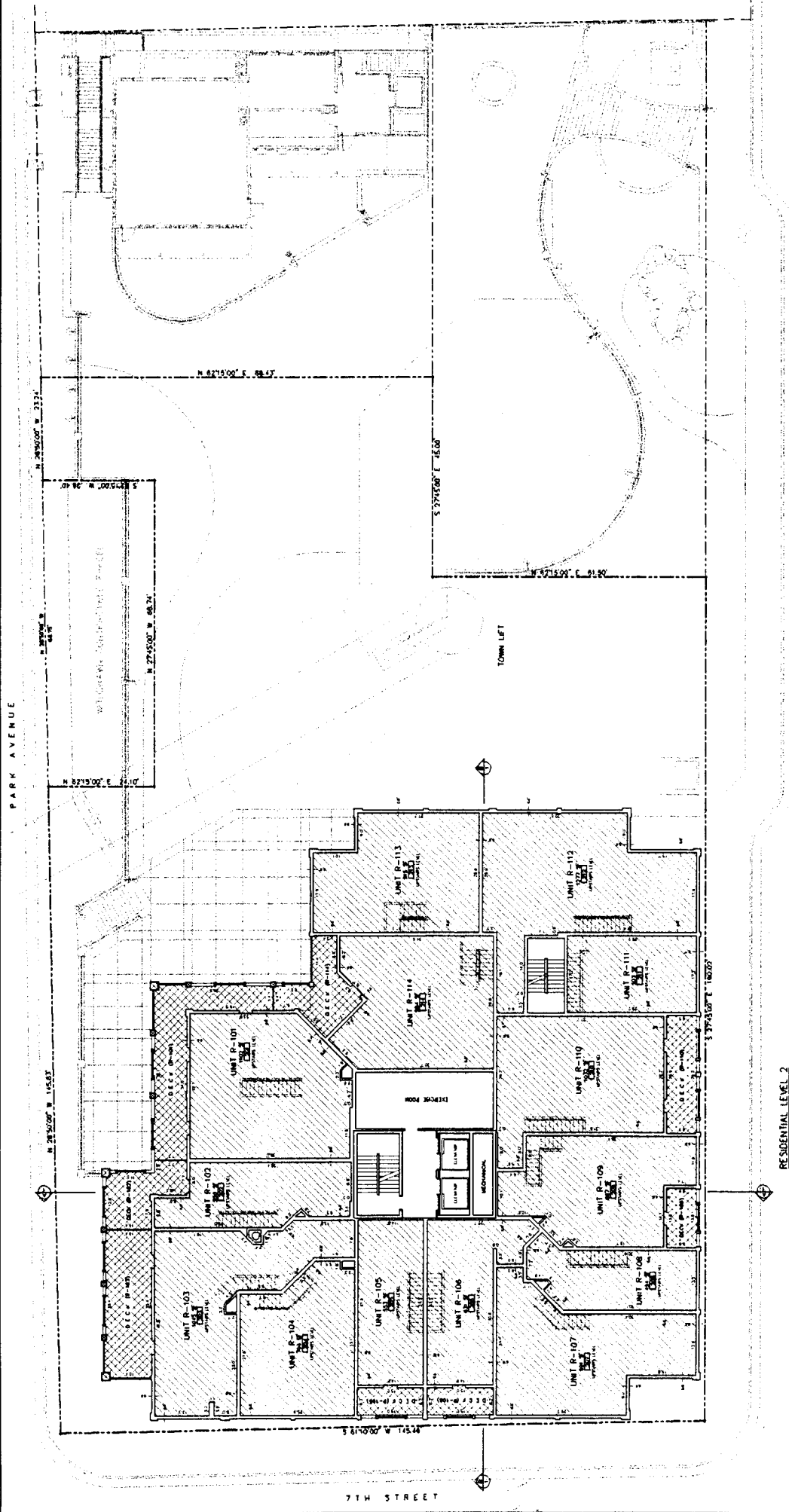
MAIN STREET



RESIDENTIAL LEVEL 1

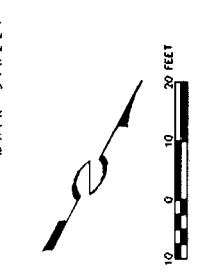
LEGEND
 S.F. REPRESENTS SQUARE FEET.
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS IS 751 MAIN STREET.

- AREA LEGEND
- COMMON AREA
- UNIT AREA
- LIMITED COMMON AREA
- CONVERTIBLE TO LIMITED COMMON AREA



ELEVATIONS FOR FLOOR AND CEILING UNIT BOUNDARIES

UNIT	FLOOR ELEVATION	CEILING ELEVATION
R-103	2004.5	2023.1
R-104	2004.5	2023.1
R-105	2004.5	2023.1
R-106	2004.5	2023.1
R-107	2004.5	2023.1
R-108	2004.5	2023.1
R-109	2004.5	2023.1
R-110	2004.5	2023.1
R-111	2004.5	2023.1
R-112	2004.5	2023.1
R-113	2004.5	2023.1
R-114	2004.5	2023.1



LEGEND
 SF. REPRESENTS SQUARE FEET.
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS IS 751 MAIN STREET.

AREA LEGEND

- COMMON AREA
- UNIT AREA
- LIMITED COMMON AREA
- CONVERTIBLE TO LIMITED COMMON AREA

RESIDENTIAL LEVEL 2

MAIN STREET

ELEVATIONS FOR FLOOR AND CEILING UNIT BOUNDARIES

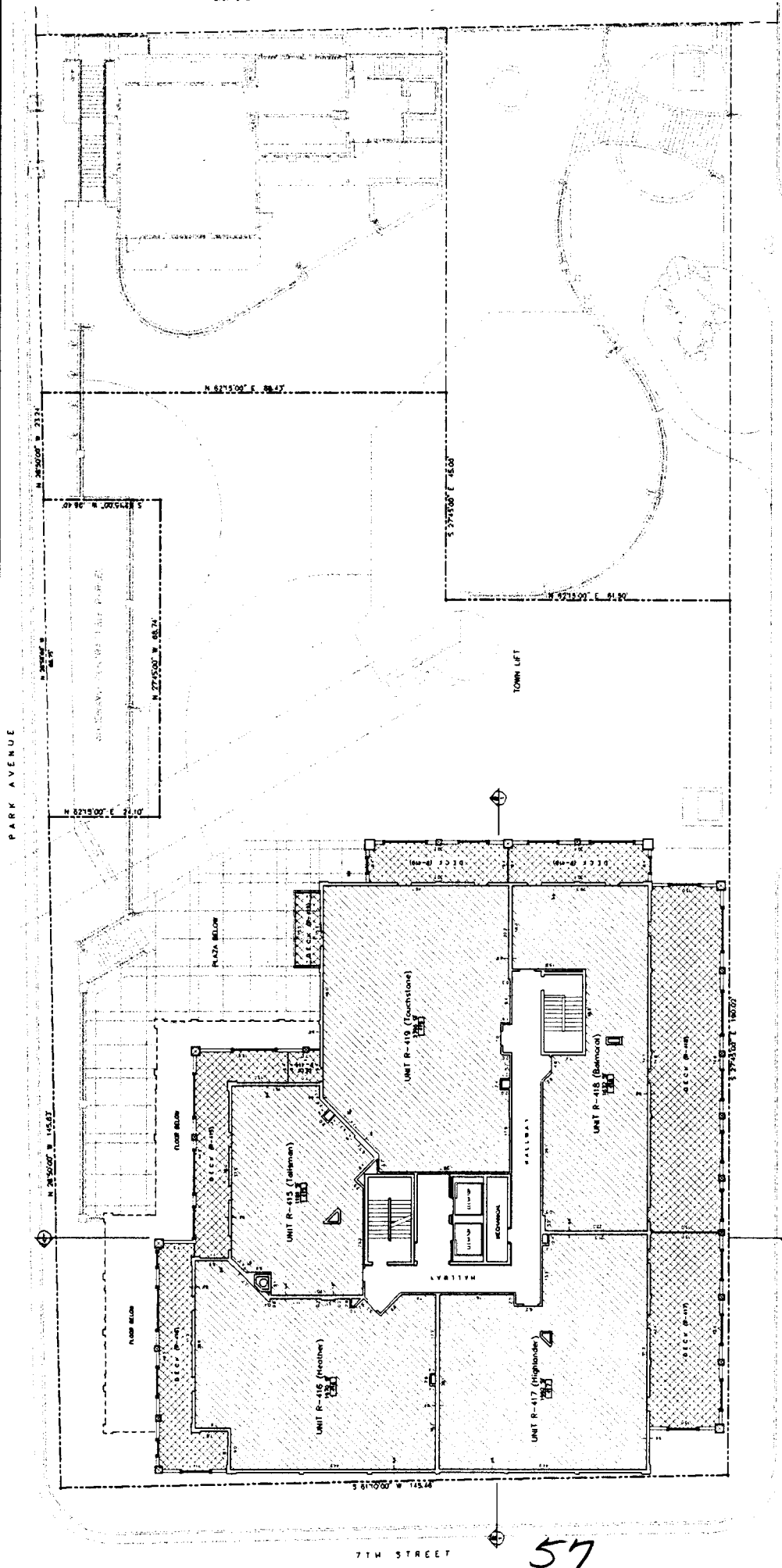
FIRST AMENDED RECORD OF SURVEY MAP
CALEDONIAN CONDOMINIUMS

RECEIVED
 DEC 13 2001
 PARK CITY
 PLANNING DEPT.

STATE OF UTAH, COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____ PAGE _____
 DATE _____ TIME _____

RECORDED
 FILE _____

RECORDER



FIRST AMENDED RECORD OF SURVEY MAP
CALEDONIAN CONDOMINIUMS

RECEIVED CONDOMINIUM PROJECT
 EAST QUARTER OF SECTION 16
 RANGE 7 EAST, STATE BASE
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

DEC 13 2001

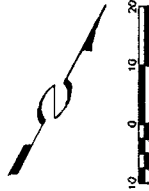
PARK CITY
 PLANNING DEPT.

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 DATE _____ TIME _____ BOOK _____ PAGE _____
 RECORDER _____ TEL _____

ELEVATIONS FOR FLOOR AND CEILING UNIT BOUNDARIES

UNIT	FLOOR ELEVATION	CEILING ELEVATION
R-416	7024.5	7033.2
R-415	7024.5	7033.2
R-417	7024.5	7033.2
R-418	7024.5	7033.2
R-419	7024.5	7033.2

MAIN STREET



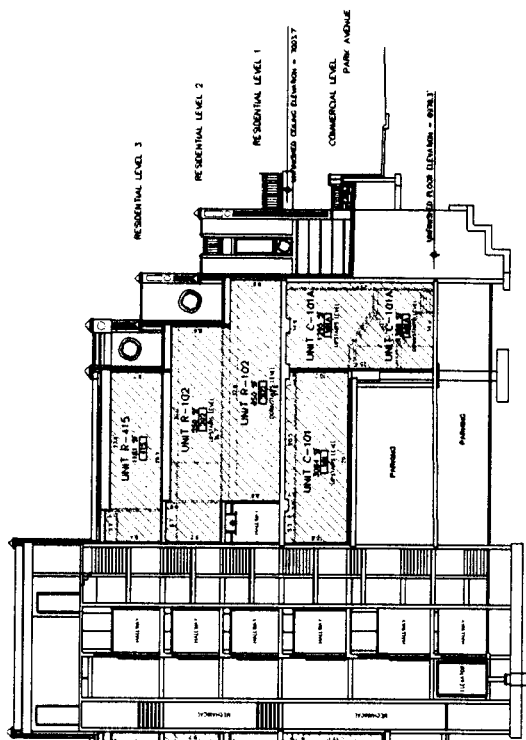
RESIDENTIAL LEVEL 3

LEGEND
 SF REPRESENTS SQUARE FEET
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS
 IS 7th MAIN STREET.

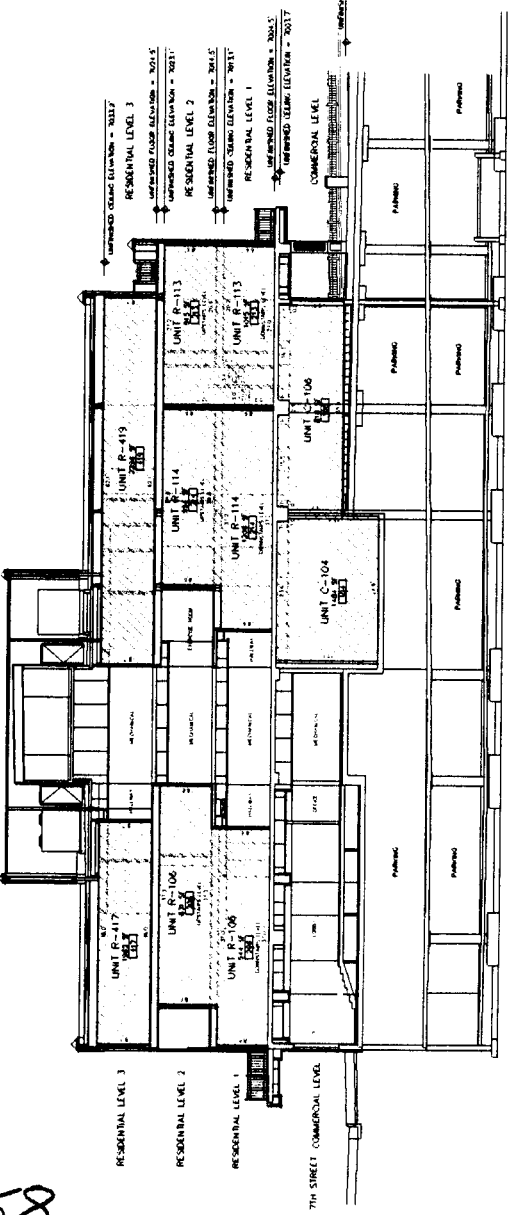
- AREA LEGEND
- COMMON AREA
 - UNIT AREA
 - LIMITED COMMON AREA
 - CONVERTIBLE TO LIMITED COMMON AREA

7TH STREET

57



SECTION "A-1"



SECTION "B-1"

LEGEND
 SF REPRESENTS SQUARE FEET.
 THE STREET ADDRESS FOR CALEDONIAN CONDOMINIUMS
 IS 751 MAIN STREET

AREA LEGEND
 COMMON AREA
 UNIT AREA
 LIMITED COMMON AREA
 CONVERTIBLE TO LIMITED COMMON AREA



FIRST AMENDED RECORD OF SURVEY MAP
CALEDONIAN CONDOMINIUMS

RECEIVED BY THE CITY CLERK OF THE CITY OF PARK CITY, UTAH
 DEC 13 2001

PARK CITY
 PLANNING DEPT.

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE COUNTY CLERK'S OFFICE
 DATE _____ TIME _____ BOOK _____ PAGE _____
 REC'D BY _____
 FILE NO. P-C-01 FILE: P-C-01-1A

58

Ordinance No. 01-49

**AN ORDINANCE APPROVING AN AMENDMENT TO THE LARREMORE PLAT
LOCATED AT 723 AND 721 WOODSIDE AVENUE BLOCK 12 OF THE SNYDER'S
ADDITION TO THE PARK CITY PLAT**

WHEREAS, owners of the property known as 721 AND 733 Woodside Avenue, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on November 28, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to increase the size of lot 1 and run trail, ski, lift, pedestrian a temporary building easements on the property; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
2. The amendment will incorporate portions of lots 5 and 6 of Block 12 of the Snyder's Addition to the Park City Survey into Lot 1 of the Larremore Subdivision.
3. The amendment will create trail, pedestrian, ski, ski lift, and temporary building encroachment easements on Lot 1 of the Larremore Subdivision.
4. The amendment will create a pedestrian and utility easement on Lot 2 of the Larremore Subdivision.
5. The proposed addition to Lot 1 is approximately nine hundred square feet.
6. Pedestrian access to Lot 1 is from Woodside Avenue.
7. Minimal construction staging area is available along Woodside and Norfolk Avenues.
8. In its current location the historic home meets all required setbacks for the HR-1 zone.

9. The plat amendment will potentially reduce the density of the lots by one unit.
10. The property is located in the Historic Residential (HR-1).

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law.

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.
3. A note shall be added to the plat stating that vehicular access to the home on Lot 1 is only available from Norfolk Avenue via a private easement not guaranteed by Park City Municipal Corporation.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 20th day of December, 2001.

PARK CITY MUNICIPAL CORPORATION




Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 01-48

AN ORDINANCE APPROVING AN AMENDMENT TO AMEND THE 364 MAIN STREET SUBDIVISION LOCATED IN BLOCK 22 OF THE PARK CITY SURVEY.

WHEREAS, owners of the property known as 364 Main Street, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on November 28, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to remove an existing lot line to create one lot of record; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The HCB District is characterized by a mix of historic commercial structures and larger contemporary commercial structures.
2. The amendment will absorb a 10' x 15' portion of lots 14 of Block 22 of the Park City Survey into Lot 1 364 Main Street Plat.
3. The amendment will provide secondary access to the 364 Main Street structure.
4. The owners of 354 Main and 364 Main have both consented to this application.
5. An existing access easement exists from 354 Main through Lot 15 Block 69 of the Park City Survey.
6. The proposed addition to Lot 1 of the 354 Main Plat is approximately one hundred fifty square feet.
7. The plat amendment will not require additional parking for the 364 Main structure.
8. The building meets all required setbacks for the HCB zone.
9. The plat amendment will not create any remnant lots.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law(1)(2)(a)

II.III.IV.

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

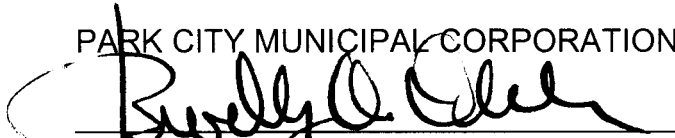
SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

4. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
5. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 20th day of December, 2001.

PARK CITY MUNICIPAL CORPORATION

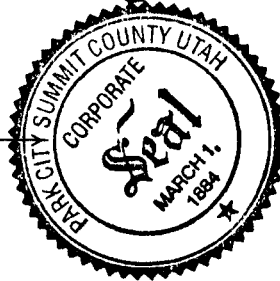


Mayor Bradley A. Olch


Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

Plat Amendment Application, 354 Main Street and 350 ½ Main Street and Lot Line Adjustment between 352 Main Street and 354 Main Street

Jonathan Olch and Brent Ferrin are the owners of 354 Main Street. Hofmann Properties LC is the owner of 350 ½ Main Street, a parcel abutting 354 Main Street. Mr. Olch and Mr. Ferrin have agreed to sell a portion of 354 Main Street to Hofmann Properties LC. Accordingly, Mr. Olch and Mr. Ferrin request a plat amendment. Concurrently, Mr. Olch and Mr. Ferrin request a lot-line adjustment between 352 and 354 Main Street.

I. Plat Amendment

As discussed above, Jonathan Olch and Brent Ferrin are the owners of 354 Main Street. Hoffman Properties LC is the owner of 350 ½ Main Street, a parcel abutting 354 Main Street. Mr. Olch and Mr. Ferrin have agreed to sell a portion of 354 Main Street to Hofmann Properties LC. The transferred property is a 10' x 15' parcel of ground that lies beneath a stairway tower leading to 350 ½ Main Street. The owners of the respective parcels request that the transfer of the stairway tower property be finalized and recorded in the land records with an amended plat for the properties.

II. Lot-Line Adjustment

A minor lot-line adjustment is requested for the current lot line between Lots 13 (352 Main Street) and Lot 14 (354 Main Street). Currently, the lot line for Lot 14 encroaches minimally on Lot 13. This encroachment has existed for a long time. Since the owners of 354 Main Street have submitted a plat amendment to effectuate a transfer of a stairway tower easement to its northerly neighbor located at 364 Main Street, the owners thought it advisable to clear up the encroachment located on the southerly portion of their parcel.

Ordinance No. 01-47

AN ORDINANCE ADOPTING REGULATIONS FOR DEMONSTRATION AREAS AND MAIN STREET CELEBRATION IN CONJUNCTION WITH THE 2002 WINTER OLYMPICS

WHEREAS, these regulations are necessary to provide time, place and manner regulations to reasonably provide areas of demonstration to replace the licensed areas for the Olympic Venues and Celebrations. , and; and

WHEREAS, the areas are needed to preserve the pedestrian and vehicular access routes, allow efficient delivery of municipal services in the areas, and reduce interference with activities, licenses and agreements relating to the Venues and Celebration; and

WHEREAS, the City Council determines these regulations are necessary to manage all activities in the Venue and Celebration areas with due regard for public safety and pursuant to UCA Sections 10-8-23 to 30, 10-8-47, 10-8-84; and

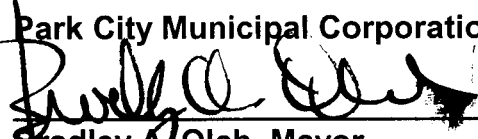
WHEREAS, the following ordinance is deemed by the City Council to be in the best interest of the residents of Park City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION I. ADOPTION. The policy and regulations attached as Exhibit A are hereby adopted.

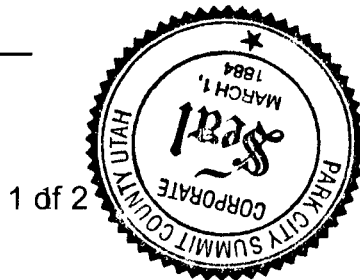
SECTION II. EFFECTIVE DATE. This ordinance shall become effective upon publication and shall sunset March 1, 2002.

PASSED AND ADOPTED this 20th day of December, 2001.

Park City Municipal Corporation

Bradley A. Olch, Mayor

Attestation by:


Janet M. Scott, City Recorder



Approved as to Form:



Mark D. Harrington, City Attorney



Olympic Review Policy Public Demonstrations

The Venue City License and Services Agreement between Park City Municipal Corporation and The Salt Lake Organizing Committee, and subsequent approved Master Festival License(s) (MFL) regulate all aspects of Olympic Activities for the Olympic Winter Games of 2002. The MFL allows for the administrative review of public demonstration permits. The following policy shall apply to Special Events or Master Festival License applications for events occurring between February 1, 2002 and March 1, 2002:

1. Compliance with Park City Municipal Code §4-8-11. During the period of February 1, 2001 to March 1, 2002, all public demonstrations of more than five (5) persons, but under one hundred (100) persons must comply with Park City Municipal Code §4-8-11, in obtaining a Special Event permit. Any gathering of one hundred (100) or more persons must apply for a Master Festival License pursuant to Park City Municipal Code §4-8-4.
2. Additional Requirements. The following are additional requirements regulating public demonstrations between February 1, 2002 and March 1, 2002:
 - a. The permit fee provision is hereby amended to \$50.00. The fee will be waived if the application is filed ten (10) or more days prior to the scheduled assembly. The Special Events Coordinator shall reduce or waive this fee upon a showing of indigence of the applicant;
 - b. All garbage clean-up shall be completed within one (1) hour;
 - c. A \$500.00 refundable cash deposit is required to ensure proper cleanup. The Special Events Coordinator shall reduce or waive the deposit requirement upon a showing of indigence of the applicant;
 - d. No assemblies may commence earlier than 9:00 a.m. nor conclude later than 11:00 p.m.;
 - e. Applications shall be filed with the Special Events Coordinator no less than two (2) days in advance of the scheduled assembly;
 - f. No weapons shall be allowed in the designated assembly areas. For the purposes of this policy, a stick or pole will be considered a weapon whether or not it is attached to a sign;
 - g. Public demonstrations of greater than five (5) persons taking place in a public forum and whose assembly is within two (2) miles of an Olympic Venue site and/or the Main Street Celebration may assemble only in the following designated assembly areas:
 1. A designated area on 15th Street Between Woodside and Park Avenue;
 2. A designated area at the end of Lot 7 at the Deer Valley Resort;

3. A designated area on the Scottish Power open space parcel at Park Avenue and 9th Street; and
4. A designated area at the north end of City park near the tennis courts.

See Exhibit A for a more detailed description of the designated protest areas;

h. No one wishing to exercise his or her free speech rights outside the designated assembly areas may block sidewalks, streets or other rights of way, carry signs larger than two feet by three feet (2'x3'), carry signs with sticks or poles attached, or use any type of sound amplification devices;

i. The maximum capacity of each of the designated assembly areas is one hundred (100) persons. No one may enter an assembly area at or exceeding capacity. Park City may require persons to move from an assembly when the area exceeds its capacity; and

j. No sales, vending or other commercial activity is permitted in the designated assembly areas.

3. Revocation. Any license or permit issued under this Policy may be revoked by the Special Events Coordinator when she finds that the licensee or permittee has:

- a.. Filed a false or fraudulent license or permit application;
- b. Violated any conditions of the permit or license; or
- c. Violated any federal, state or local law in connection with the application process or in connection with the assembly. This specifically includes but is not limited to Park City's noise and parking ordinances. Participants are encouraged to use public transportation.

Notification of the license or permit revocation shall be sent by the Special Events Coordinator to the licensee or permittee at the address provided on the most recent application. Any mailed notice shall be sent by certified mail. The licensee or permittee may appeal this action to the City Manager within fourteen (14) days from the date of the notice, upon which the City Manager shall hold a hearing within fourteen (14) days of the receipt of the request for an appeal. Notification may also be performed orally pursuant to Park City Municipal Code §4-8-13. Such oral notification is effective immediately and participants in an assembly for which the permit has been revoked agree to disburse immediately upon notification of the revocation of the assembly permit.

4. Enforcement of Other City Ordinances and Regulations. The grant or denial of a temporary business license or Special Event permit shall in no way bind, waive, or alter the City's ability to enforce any other City Ordinances and regulations where there is a violation of such. Estoppel shall not be a defense to such actions by the City when it is engaged in the process of enforcing compliance with its laws, regulations, ordinances, and development codes in relation to the operation of any business or assembly within the City. This policy specifically allows, but is not limited to the City's enforcement of conditional use, temporary, and minor permit rules, regulations, and laws.

5. Each Portion of this Policy is Separate. If any portion of this Policy, including, but not limited to any exemption, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decisions shall not effect the validity of the remaining portions of this Policy.

6. Penalty. Any person, firm, or corporation violating any of the provisions of this Policy shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this Policy is committed, continued, or permitted. A violation of this Policy shall be punishable as a Class B Misdemeanor.

7. Effective Date. This Policy shall become effective on November 26, 2001.


8. Sunset Provision. This Policy shall expire on March 1, 2002.

DATED this 26th day of November, 2001.

PARK CITY MUNICIPAL CORPORATION

By: 
Toby Ross, City Manager

Approved as to form:


City Attorney

Regulations Restricting Dangerous Weapons And Explosives In Main Street Celebration Secure Area.

A. Weapons and Firearms Prohibited

(1) A person, including a person licensed to carry a concealed firearm pursuant to Title 53, Chapter 5, Part 7, Concealed Weapon Act, may not knowingly transport into the Main Street Celebration Area:

(a) a firearm, ammunition, or dangerous weapon; or
(b) an explosive, chemical, or incendiary device, as those terms are defined in Section 76-10-306.

(2) A violation of this section is:

(a) a class B misdemeanor if the violation is with a firearm, ammunition, or dangerous weapon; or
(b) a first degree felony if the violation is with an explosive, chemical, or incendiary device.

B. Designation of Main Street Celebration Secure Area

The area described on Exhibit A is hereby designated the Main Street Celebration Secure Area.

C. Notice Requirements

(1) The boundaries of the Main Street Celebration Secure Area will be marked by signs posted at appropriate intervals on the perimeter in a manner providing notice reasonably likely to inform persons entering the secure area.

(2) The notice shall give reasonable notice of the prohibition against entry into the secure area in possession of a firearm, ammunition, dangerous weapon, or explosive, chemical or incendiary device and the penalties associated with such unlawful entry.

(3) The form of the notice shall be as follows:

NOTICE
MAIN STREET CELEBRATION SECURE AREA

ENTRY INTO THIS AREA IN POSSESSION OF ANY FIREARM, AMMUNITION, DANGEROUS WEAPON, EXPLOSIVE, CHEMICAL OR INCENDIARY DEVICE WITHOUT AUTHORIZATION IS PROHIBITED. VIOLATION OF THIS PROHIBITION IS PUNISHABLE BY A FINE AND IMPRISONMENT.

D. Exceptions

(1) The following categories of persons are exempted from the prohibitions of this ordinance:

- (a) United States Marshals and Deputy United States Marshals while engaged in the performance of official duties in connection with the Olympic Games;
- (b) Federal officers, Federal Olympic Officers, and other federal officials required to carry a firearm while engaged in the performance of official duties in connection with the Olympic Games;
- (c) A Utah peace officer and peace officers of any other jurisdiction while engaged in the performance of official duties in connection with the Olympic Games;
- (d) A member of the National Guard while properly engaged in duties related to the Olympic Games;
- (e) Members of the National Ski Patrol and employees of the Forest Service while engaged in the performance of official duties in connection with the Olympic Games;
- (f) Explosive ordinance disposal personnel while engaged in the performance of official duties in connection with the Olympic Games; and
- (g) Fireworks handlers and support personnel who are authorized by law to possess and use fireworks, explosive devices and related materials during and in connection with official licensed Main Street celebrations whose identity and credentials are made known to the Park City Police Department.

(2) Notwithstanding any other provision of this ordinance, no citizen of the United States or lawfully admitted alien shall be prohibited from owning, possessing, purchasing, selling, transferring, transporting, or keeping any firearm at his place of residence, property, business, or in any vehicle lawfully in his possession or lawfully under his control.

E. Effective Dates

These regulations shall be effective for the dates Main Street is closed for the Olympic Celebrations. These regulations will expire on March 1, 2002.



Ordinance No. 01-46

AN ORDINANCE AMENDING TITLE 8, CHAPTER 7, SECTION 2 OF THE MUNICIPAL CODE OF PARK CITY PROHIBITING THE POSSESSION, USE AND DELIVERY OF DRUG PARAPHERNALIA AS DEFINED BY THE CRIMINAL CODE.

WHEREAS, Utah state criminal law has been updated; and

WHEREAS, Amendments made to the Utah Code Annotated, Title 76 (1999) require an update of Title 8 of the Municipal Code of Park City to ensure compliance with state standards; and

WHEREAS, The City Prosecutor has recommended the update to Title 8 of the Municipal Code of Park City;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION I. Title 8, Chapter 7, Section 2 is hereby deleted and replaced by amended Title 8, Chapter 7, Section 2, as follows:

8-7-2. POSSESSION OF DRUG PARAPHERNALIA

(A) It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body in violation of the Utah Controlled Substances Act. Any person who violates this subsection is guilty of a class B misdemeanor.

~~(A)~~(B) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, any drug paraphernalia, knowing that the drug paraphernalia will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce a controlled substance, as defined in Section 8-7-1, into the human body in violation of the Utah Controlled Substances Act. Any person who violates this subsection is guilty of a class

A misdemeanor.

~~(B)(C) It is unlawful for any person eighteen (18) years of age or over to deliver drug paraphernalia to a minor. Any person 18 years of age or over who delivers drug paraphernalia to a person under 18 years of age who is three years or more younger than the person making the delivery is guilty of a third degree felony.~~

~~(C)(D) It is unlawful for any person to place in this state in any newspaper, magazine, handbill, or other publication any advertisement, knowing that the purpose of the advertisement is to promote the sale of drug paraphernalia.. Any person who violates this subsection is guilty of a class B misdemeanor.~~

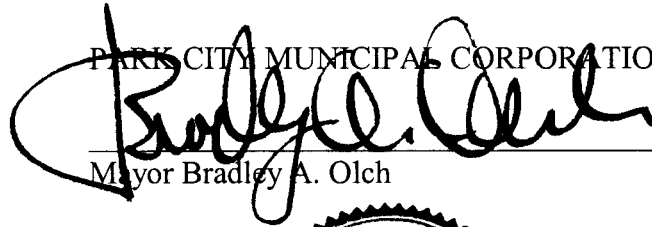
~~(D)(E) Drug paraphernalia used possessed or delivered in violation of this section shall be subject to seizure and forfeiture to the city.~~

SECTION II.

This ordinance shall take effect upon publication.

PASSED AND ADOPTED this 8th day of November, 2001.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

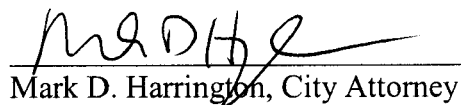
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 01-45

AN ORDINANCE APPROVING AN AMENDMENT TO RECORD OF SURVEY PLAT FOR TOWN POINTE CONDOMINIUMS LOCATED AT 1000 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners, Town Pointe, LLC, a Utah limited liability company, of the property at 1000 Park Avenue, Park City, Utah and to be known as Town Pointe Condominiums, have petitioned the City Council for approval of an amendment to the Record of Survey; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on October 24, 2001 the Planning Commission held a public hearing to receive public input on the proposed amendment to the Record of Survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, it is in the best interest of Park City, Utah to approve the Record of Survey;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact.

1. The property is zoned HCB, Historic Commercial Business District.
2. The Planning Commission forwarded a positive recommendation for an amendment to the Record of Survey to the City Council at their October 24, 2001 meeting.
3. The City Council adopted an ordinance approving the Subdivision of a metes and bound parcel into one lot of record at their November 9, 2000 meeting.

4. The project complies with the Uniform Building Code requirement for handicap accessibility.
5. The applicant has elected to construct one additional handicap unit to be owned on common by the Association.
6. Section 1103.1.9.3 of the Uniform Building Code requires Multi-unit dwellings containing more than 20 dwelling units to have at least 2% but less than one Type A accessible unit.
7. The additional unit requires one parking space since it is less than 600 square feet.
8. The Town Pointe site provides a total of 162 parking spaces.
9. The facts discussed in the Analysis section are hereby incorporated herein.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat and that neither the public nor any person will be materially injured by the proposed subdivision plat.

1. The use as conditioned is consistent with Park City General Plan, Land Management Code, and State law regarding subdivision plats.
2. There is good cause for this Amendment.
3. Neither the public nor any person will be materially injured by the approval of the plat, subject to the conditions of approval. Approval of the subdivision does not adversely affect the health, safety and welfare of the citizens of Park City.

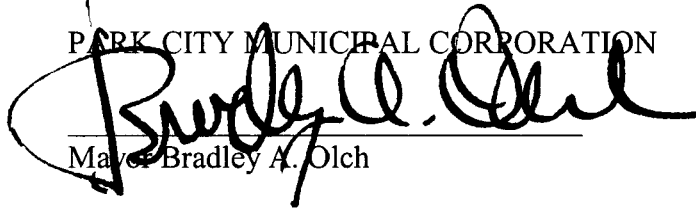
SECTION 3. PLAT APPROVAL. The subdivision plat, known as Town Pointe, is hereby approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey and Declaration of Condominium for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. This approval shall expire within (12) twelve months from the date of Council approval, unless this plat amendment is recorded prior to the date.
3. The Conditions of Approval from the City Council November 9, 2000 meeting(Exhibit "B") continue to apply to this approval.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 8th day of November, 2001

PARK CITY MUNICIPAL CORPORATION



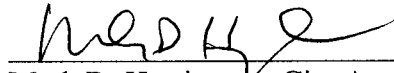
Mayor Bradley A. Olch

Attest:

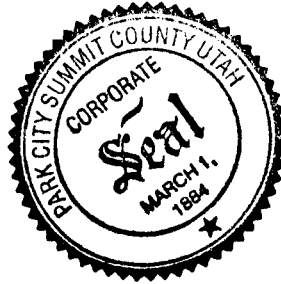


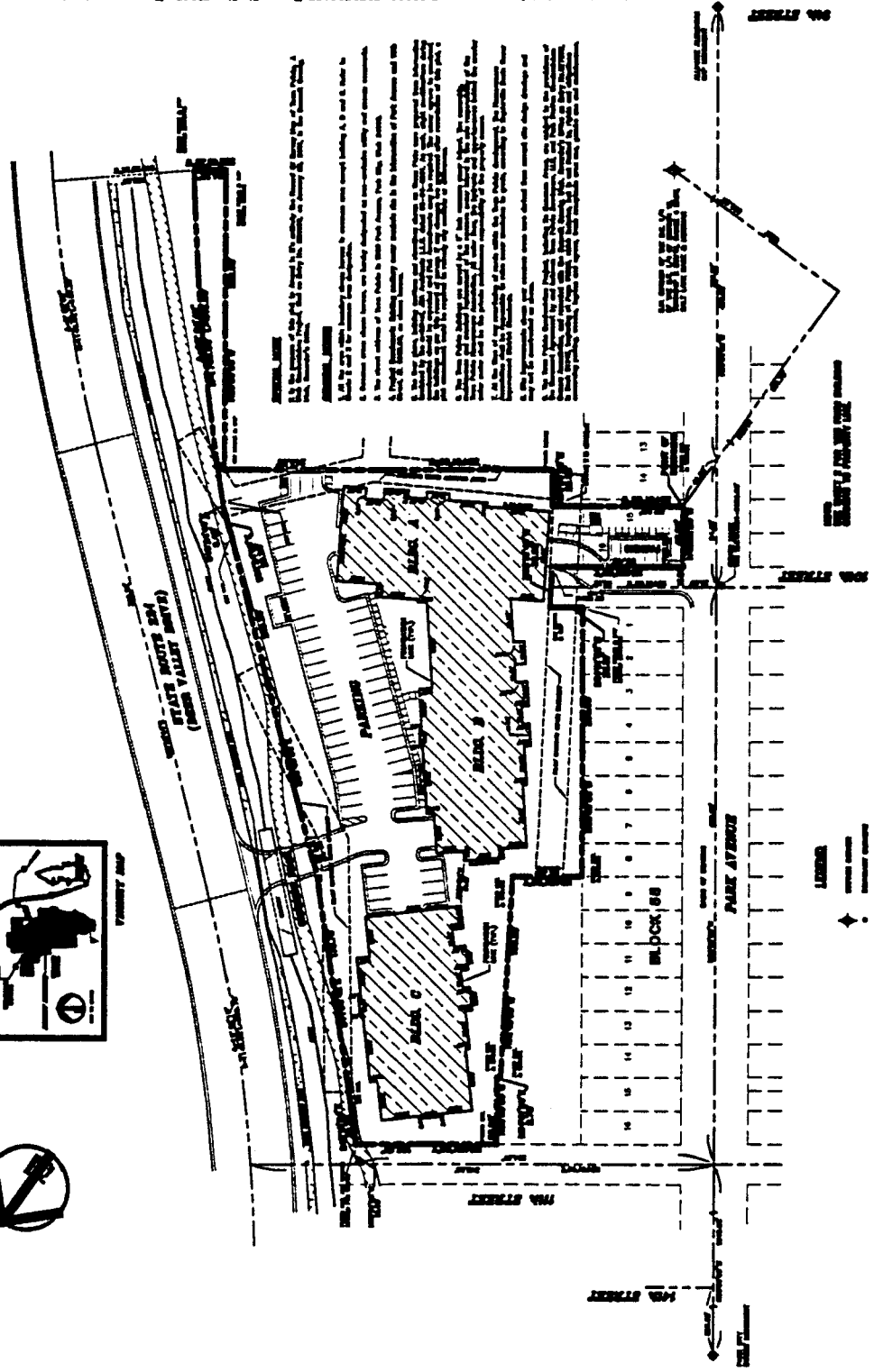
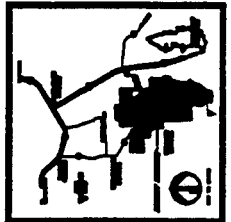
Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





ARTICLE I
 The purpose of this Ordinance is to provide for the health, safety and general welfare of the City of Park City, Utah, by establishing a comprehensive set of rules and regulations governing the use of land and buildings within the City of Park City, Utah.

ARTICLE II
 The City of Park City, Utah, hereby ordains and enacts the following Ordinance, which shall take effect on the date of its adoption by the City Council.

ARTICLE III
 The City of Park City, Utah, hereby certifies that the Ordinance is necessary for the health, safety and general welfare of the City of Park City, Utah, and that the Ordinance is in accordance with the City Charter and the Utah Constitution.

ARTICLE IV
 The City of Park City, Utah, hereby certifies that the Ordinance is in accordance with the City Charter and the Utah Constitution, and that the Ordinance is necessary for the health, safety and general welfare of the City of Park City, Utah.

FIRST AMENDED PLAT
TOWN POINTE
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE PARK CITY DISTRICT, PARK CITY, UTAH
 IN THE SEQUENTIAL PLATS OF THE PARK CITY DISTRICT, PARK CITY, UTAH
 PLAT LATER PLAT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PLAT 1 OF 4



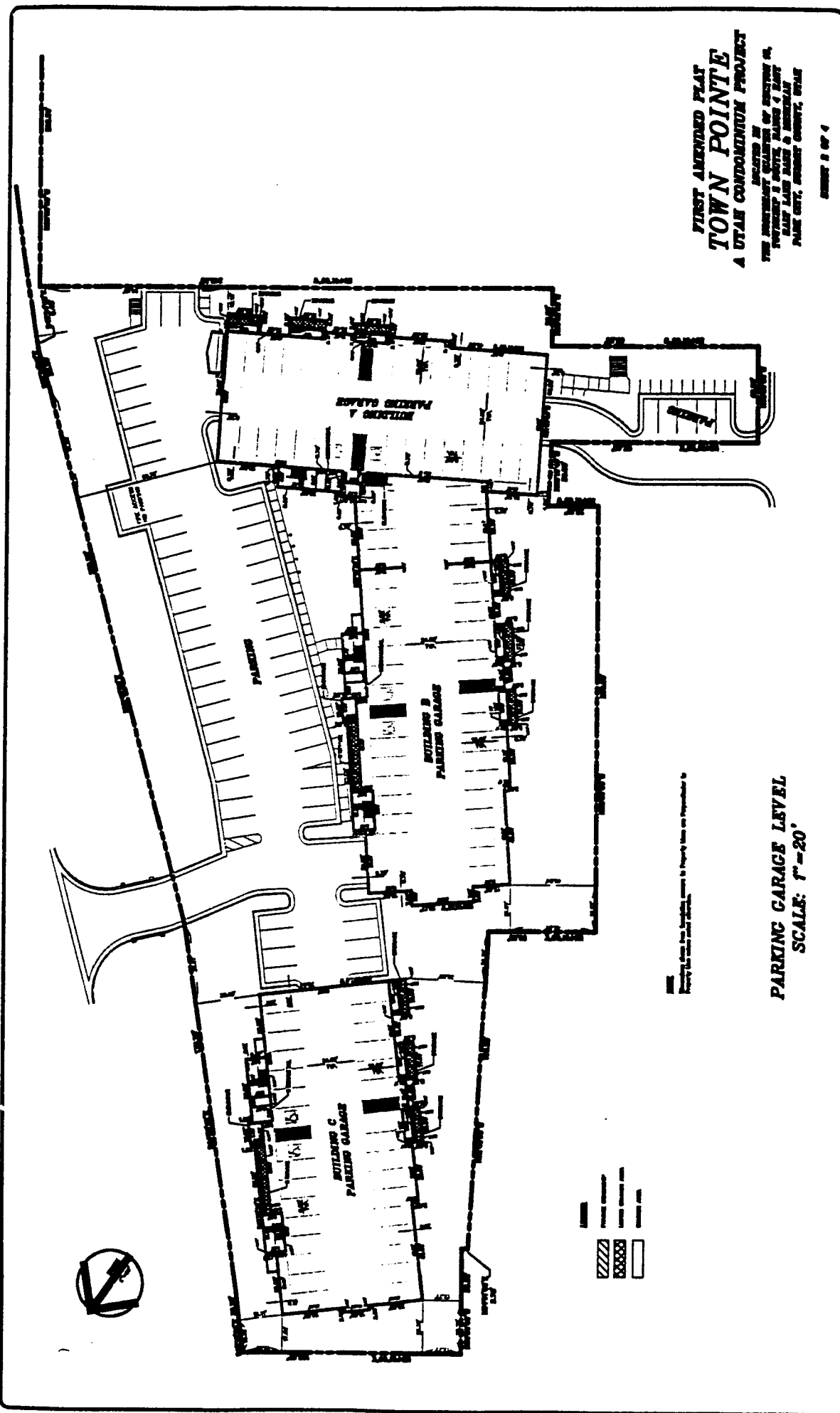
RECORDED
 BOOK NO. _____ PAGE _____
 COUNTY _____
 DATE _____

AS TO FORM
 PREPARED BY _____
 CITY ATTORNEY _____

A. Record of Survey

CITY ENGINEER
 REVIEWED FOR COMPLIANCE WITH
 AVAILABLE INFORMATION IN THE
 PARK CITY BUILDING DEPARTMENT
 ON THE _____ DAY OF _____ 2001.

CITY COUNCIL
 REFERRED TO THE PARK CITY BOARD
 OF HEALTH AND SAFETY FOR APPROVAL
 AT WHICH TIME THIS PLAT WAS APPROVED.
 DATE _____
 CITY ENGINEER _____



FIRST AMENDED PLAN
TOWN POINTE
 A UTAH CONDOMINIUM PROJECT

LOCATED IN
 THE SOUTHWEST CORNER OF SECTION 16,
 TOWNSHIP 3 NORTH, RANGE 4 EAST,
 SALT LAKE BASIN & MOUNTAIN
 PLAIN DIST., HERRICK COUNTY, UTAH

NUMBER 2 OF 4

THE JACK JOHNSON COMPANY

177 East 200 South • Salt Lake City, Utah 84119
 (801) 462-1000 • Fax (801) 462-1001

DATE OF THIS PLAN: _____

DATE OF PREVIOUS PLAN: _____

PROJECT NO.: _____

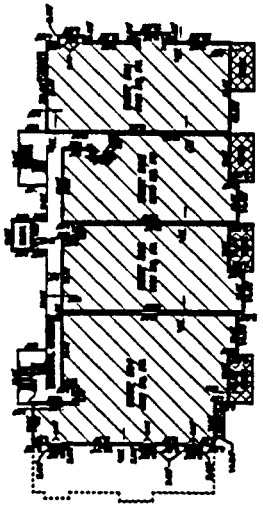
SCALE: _____

BY: _____

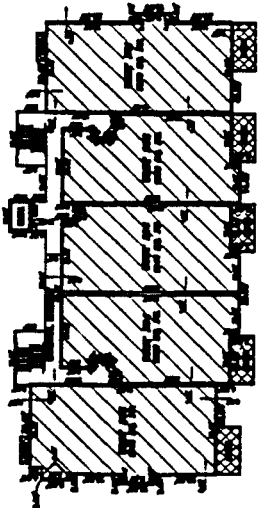
CHECKED BY: _____

APPROVED BY: _____

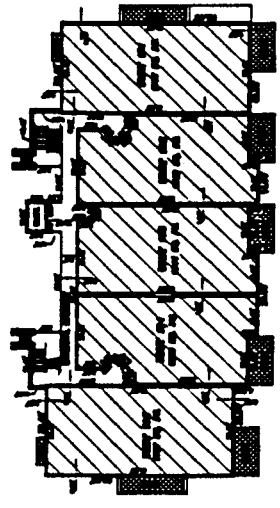
PARKING GARAGE LEVEL
SCALE: 1"=20'



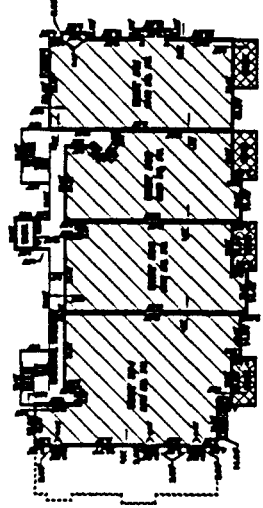
BUILDING 'A' THIRD FLOOR



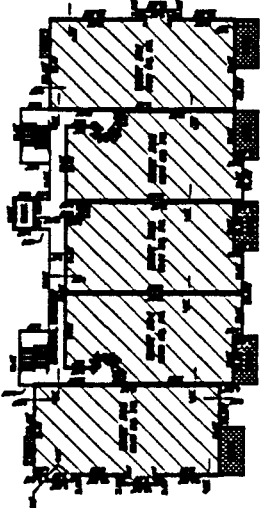
BUILDING 'A' SECOND FLOOR



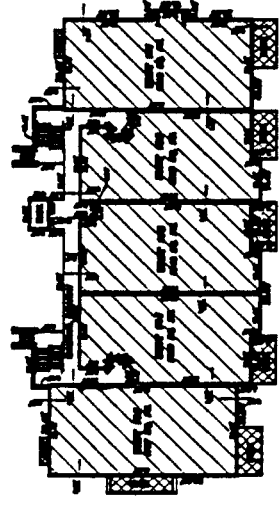
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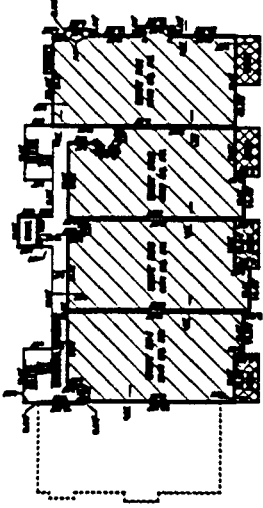
BUILDING 'B' THIRD FLOOR



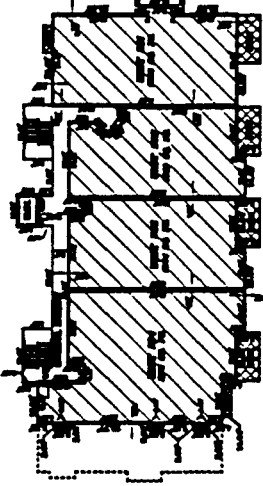
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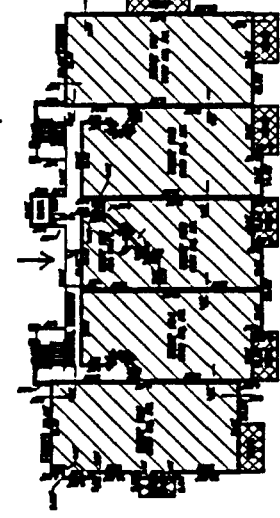
BUILDING 'B' FIRST FLOOR



BUILDING 'C' THIRD FLOOR

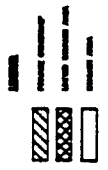


BUILDING 'C' SECOND FLOOR



Unit 106 - Handicap accessible

BUILDING 'C' FIRST FLOOR



FIRST AMENDED PLAN
TOWN POINTE
A UTAH CONDOMINIUM PROJECT
LOCATED IN
THE MOUNTAIN GLENNE OF SOUTHWEST IN
TOWN OF SALT LAKE COUNTY, UTAH
SALT LAKE VALLEY & MOUNTAIN
PLATE DIST. SOUTHWEST COUNTY, UTAH

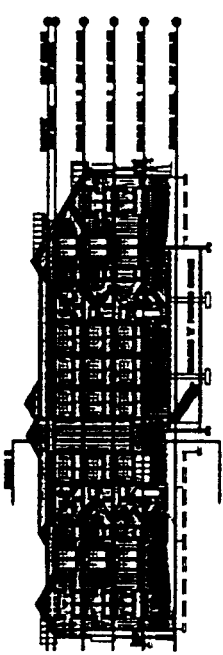
SHEET 8 OF 4

SCALE: 1"=20'

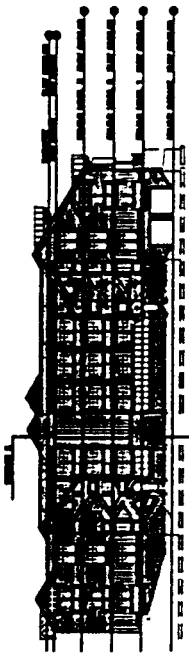
REVISIONS table with columns for NO., DATE, and DESCRIPTION.



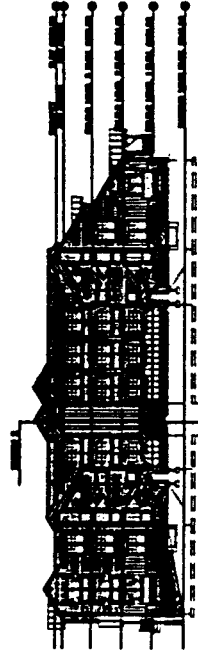
THE JACK JOHNSON COMPANY
177 West Park Blvd. • Salt Lake City, Utah 84119
(801) 466-1000 • Fax (801) 466-1001



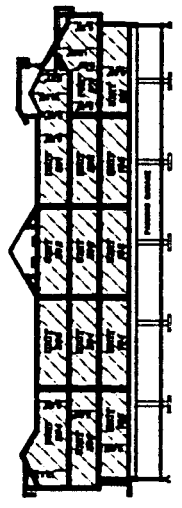
ELEVATION A



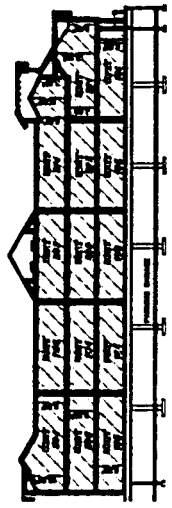
ELEVATION B



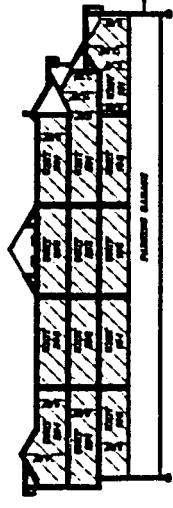
ELEVATION C



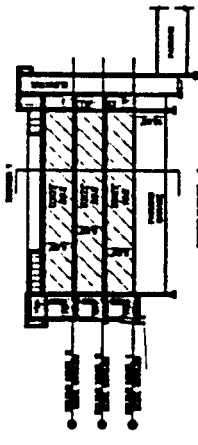
ELEVATION A



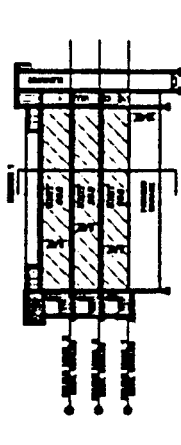
ELEVATION B



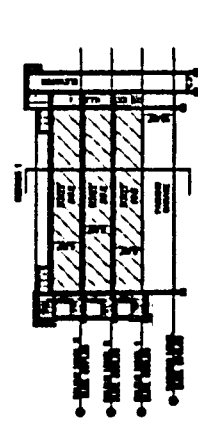
ELEVATION C



ELEVATION A



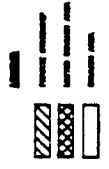
ELEVATION B



ELEVATION C

FIRST AMENDED PLAN
TOWN POINTE
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE DISTRICT OF CRESTVIEW RD.
 THE UNIVERSITY BLVD. & 1000 S. BLVD.
 SALT LAKE CITY, UTAH
 PLANNED BY: JAMES W. JOHNSON & ASSOCIATES
 ARCHITECTS, INC.

BUILDING SECTION AND ELEVATIONS
 SCALE: 1" = 20'



REVISIONS

NO.	DATE	BY	DESCRIPTION

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT NO.: _____

THE JACK JOHNSON COMPANY
 1775 East 1000 South • Salt Lake City, Utah 84143
 (801) 466-1000 • Fax (801) 466-1001



Ordinance No. 00-57

**AN ORDINANCE APPROVING THE FINAL SUBDIVISION PLAT FOR
TOWN POINTE SUBDIVISION LOCATED AT 1000 PARK AVENUE,
PARK CITY, UTAH**

WHEREAS, the owners, Town Pointe, LLC, a Utah limited liability company, of the property at 1000 Park Avenue, Park City, Utah and to be known as Town Pointe Condominiums, have petitioned the City Council for approval of a final Subdivision; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on October 11, 2000 the Planning Commission held a public hearing to receive public input on the proposed final Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, the proposed final Subdivision allows the owner to sell ownership interests to other parties;

WHEREAS, it is in the best interest of Park City, Utah to approve the final Subdivision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact.

1. The property is zoned HCB, Historic Commercial Business District. The property is within the Frontage Protection zone and is subject to a Conditional Use Permit.

B Ordinance (Conditions of Approval)

2. The proposed Subdivision is for a metes and bounds parcel to create a single lot of record to accommodate the construction of three buildings comprising of 41 multi-family units, a driveway and parking lot.
3. The Planning Commission forwarded a positive recommendation for a subdivision to the City Council at their October 11, 2000 meeting.
4. A Building Permit for construction of the final building will not be issued after September 30, 2001.
5. The proposed plat changes the type of ownership of this property to condominium ownership.
6. The Historic District Commission at their August 7, 2000 meeting forwarded at their a positive recommendation to the Planning Commission finding the proposal in compliance with the Historic District Design Guidelines.
7. The location of this project is visible from Highway 224, the Aerie Subdivision and Old Town.
8. The proposed density is 41 units on a 2.3 acres.
9. The applicant agrees to realign and widen the bike trail to adhere to the City's Master Trail Plan prior to a building permit for residential construction.
10. Utilities are available to sustain the anticipated property uses. Detailed utility and construction plans for the project will be submitted to the Community Development Department and utility/service providers for review and approval or denial.
11. Based on plans submitted on October 2, 2000, the project has preliminary approval from the Building Official in regards to fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.
12. All vehicular circulation occurs on-site and through the underground parking structures for each building. Significant vegetation exists on the property which buffers the bike path and parking lot from Deer Valley Drive.
13. A financial guarantee for all landscaping and public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
14. The applicant has agreed to provide a final landscape and revegetation plan for approval or denial by the city Landscape Architect/Arborist.

15. The subject property is located adjacent to City Park. City Park will be a primary public gathering site during the 2002 winter Olympic Games. Construction of the project poses potential impacts to the public safety and use of City Park.

16. The applicant stipulates to providing a Construction Management/Olympic Mitigation Plan is required in order to protect and minimize the on and off-site vegetation, and provide a timeline for trail realignment and an outline for how Town Pointe will mitigate its construction activities prior and during the 2002 Olympic Games.

17. The Planning Commission has taken this action based upon revised plans that were submitted to the Community Development Department on October 2, 2000.

18. The facts discussed in the Analysis section are hereby incorporated herein.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat and that neither the public nor any person will be materially injured by the proposed subdivision plat.

1. The proposed project complies with all requirements outlined in the Land Management Code, Sections 1.13, 7.2, 8.8 and Chapter 15.

2. Off-street parking and the internal circulation system are adequate for the project and meet the requirements of the Land Management Code.

3. The proposed project is consistent with all CUP/FPZ and Subdivision requirements found in the Land Management Code.

4. The use as conditioned is consistent with Park City General Plan.

5. There is good cause for the amendment.

6. Neither the public nor any person will be materially injured by the approval of the plat, subject to the conditions of approval. The plat does not adversely affect the health, safety and welfare of the citizens of Park City.

7. Any effects in difference in use or scale have been mitigated through careful planning and / or conditions.

SECTION 3. PLAT APPROVAL. The subdivision plat, known as Town Pointe, is hereby approved as shown on Exhibit A, with the following conditions:

1. All Standard Project Conditions shall apply (Exhibit "B").

2. A final plat or record of survey shall be submitted to the City for review and approval or denial and shall be recorded at the County prior to issuance of certificate of occupancy for any unit. Conditions, Covenants, and Restrictions for this project shall be submitted to the City Attorney for review and shall be recorded at the time of plat recordation.

3. The Developer shall provide a detailed Construction Management Plan (CMP), prior to issuance of any building permits, that addresses at a minimum the following:

a.) A construction staging, storage, circulation and parking plan.

b.) The developer shall instruct respective contractors that there is to be no wash out of concrete trucks on-site landscape areas. Further, the developer shall identify acceptable off-site dirt storage and disposal sites, obtain written permission by the owner and post a financial surety, to the satisfaction of the City, that will provide for the rehabilitation of the said storage and disposal site.

c.) Any temporary parking signs, subject to Public Works Director and City Engineer approval, shall be addressed in the CMP.

d.) The applicant shall comply with applicable Utah Air Quality standards, regarding dust mitigation, and with any applicable Utah Water Quality standards and shall provide any necessary permits or evidence of compliance prior to issuance of building construction. Park City does not guarantee or monitor compliance with these standards.

e.) The applicant shall agree that construction will cease during the duration of the Olympic 2002 games from February 8 - 28, 2002.

4. The applicant will not be issued a Building Permit for the framing of the final building unless commencement begins prior to September 30, 2001. If a Building Permit is not issued prior to this date, a Building Permit will not be issued until the completion of the Olympic games.

5. A utility and grading plan satisfactory to the City Engineer shall be submitted and approved. On-site storm runoff detention is required. All water lines, fire hydrants, and appurtenances behind the master water meter shall be the private maintenance responsibility of the property owners.

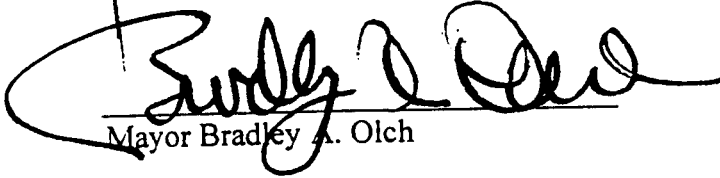
6. A financial guarantee, for the value of all public improvements, landscaping, and trails to be completed, shall be provided to the City prior to condominium plat recordation. All public improvements shall be completed according to City Standards and accepted by the City Engineer prior to release of this guarantee

7. This approval shall expire within (12) twelve months from the date of Council approval, unless this plat amendment is recorded prior to the date.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

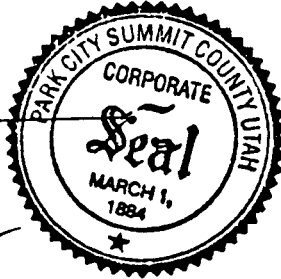
PASSED AND ADOPTED this 9th day of November, 2000

PARK CITY MUNICIPAL CORPORATION

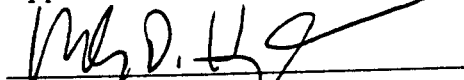

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder



Approved as to form:


Mark D. Harrington, City Attorney



Ordinance No. 01-44

**AN ORDINANCE APPROVING A THREE LOT SUBDIVISION LOCATED AT
555 KING ROAD, PARK CITY, UTAH**

WHEREAS, the owners of the property known as 555 King Road have petitioned the City Council for approval of a three lot subdivision; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on September 12, 2001, to receive input on the proposed subdivision;

WHEREAS, the Planning Commission, on September 12, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 11, 2001 the City Council held a public hearing to receive input on the subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The metes and bounds parcel is located on King Road adjacent to the Park City Mountain Resort ski lease and is zoned Estate with Sensitive Lands Overlay.
2. The adjacent PCMR ski lease is mostly within unincorporated Summit County and is zoned Mountain Remote.
3. Several mining reservations are located adjacent to the proposed subdivision. The properties are old mining claims with topographic, vegetative, and/or soil conditions that may limit future development potential.
4. The 75-acre parcel will have one house on a 55.9 acre lot.
5. Access to the Building Pad is via a 30 foot wide private driveway alignment with a 12 foot wide paved surface.

6. No road or other form of vehicular access is proposed as part of this subdivision based on the current City and adjacent County zoning and topographic limitations.
7. A Sensitive Lands analysis has been conducted.
8. Water is necessary for the enjoyment of a house and for health and safety of the public.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The conclusions of the Sensitive Lands analysis are incorporated herein.

Conditions of Approval

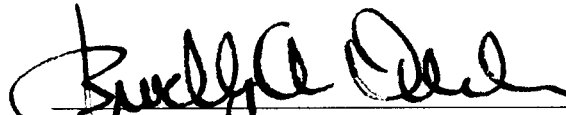
1. All Standard Conditions of Approval apply.
2. The City Attorney and City Engineer will review and approve the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
3. The applicant will record the subdivision plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
4. Applicant will relocate existing trails to a location approved by staff. All trails to be platted as non-motorized public access easements.
5. No structures or improvements are permitted outside of the 90,000 square foot Building Pad with the exception of non-motorized trails or ski runs.
6. Within the Building Pad, disturbance is limited to 45,000 square feet for home and yard improvements, exclusive of the driveway.
7. The main building floor area is limited to 20,000 square feet with the second floor limited to 67% of the total first floor area. Accessory buildings are allowed within the building zone only and are not counted towards the 20,000 square-foot maximum as long as they remain one story and under 19 feet in height. If an outbuilding exceeds this requirement, all of the floor area for the outbuilding would be counted towards the 20,000 square foot maximum.
8. Lots 2 and 3 are dedicated as Open Space.
9. Any future development on adjacent properties that may require vehicular access or utility easements through the proposed subdivision may require a subdivision plat amendment, possible annexation, and compliance with the Park City General Plan.
10. The plat shall contain a note that the water connection is subject to interruption and stagnation and the lot owner will face extraordinary costs in dealing with these potential problems.

11. The plat will have a note stating that there will be no further subdivision of any of the three lots.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

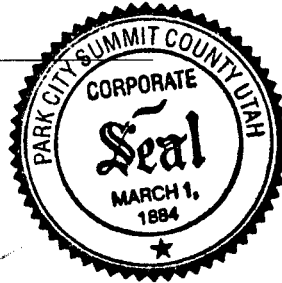
PASSED AND ADOPTED this 11th day of October, 2001.

PARK CITY MUNICIPAL CORPORATION

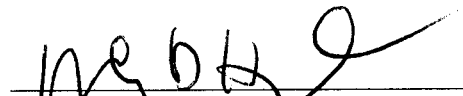

Bradley A. Orch, MAYOR

ATTEST:


Janet M. Scott, City Recorder



APPROVED AS TO FORM:


Mark D. Harrington, City Attorney



Ordinance No. 01-43

AN ORDINANCE AMENDING, TITLE 14, CHAPTER 6, SECTIONS 3 AND 9 OF THE MUNICIPAL CODE, REGULATING NEWS RACK INSTALLATION AND ENFORCEMENT DATES WITHIN PARK CITY'S HISTORIC DISTRICT

WHEREAS, Park City has an interest in promoting pedestrian safety and reducing visual clutter within Park City's Historic District, and

WHEREAS, Park City wishes to protect the right to distribute information protected by the United States Constitution and the Constitution of Utah, and

WHEREAS, the City Council has determined to protect these interests through the installation and use of uniform News Racks within the Historic District, and

WHEREAS, Park City seeks to cooperate with distributors with regards to News Rack installation, and

WHEREAS, the original date by which the uniform News Racks were to be installed and in use, September 30, 2001, does not provide enough time for distributors to deliver their News Racks to Park City for installation,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS: The Council finds that:

1. In recognition of diverse interests including pedestrian safety, protection of Park City's Historic District, and cooperation with distributors of newspapers and periodicals, the deadline by which News Racks must be installed should be extended to October 15, 2001.
2. Extending the deadline by which News Racks are installed does not adversely affect the public safety interest or the right to distribute information.

SECTION 2. AMENDMENT TO TITLE 14, CHAPTER 6 OF THE MUNICIPAL CODE. Title 14, Chapter 6 is hereby amended by modifying Sections 3 and 9 as follows:

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS,
SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET
ADDRESS SYSTEM; NEWS RACKS

CHAPTER 6 - NEWS RACKS

14- 6- 3. NEWS RACKS PROHIBITED.

~~As of September 30, 2001~~ After October 15, 2001, no News Racks other than City permitted News Racks, shall be installed, placed or located in the Special Distribution Area, unless within a Fully Enclosed Building. News Racks installed, placed or located in violation of this Section shall be impounded per the regulations set forth in Section 14-6-13(D).

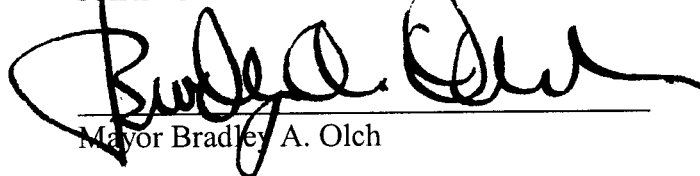
14- 6- 9. INSTALLATION OF NEWS RACKS.

Following the initial News Rack allocation process, the Community Development Department will delivery notice via first class mail to all News Rack permit holders detailing the process of installation of the News Racks on the City provided pedestals. The installation date will be between September 1, 2001 and ~~September 30~~ October 15, 2001.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 27th day of September, 2001.

PARK CITY MUNICIPAL CORPORATION



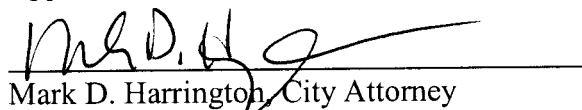
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 01-42

AN ORDINANCE APPROVING AN AMENDMENT TO THE KNOLL AT SILVERLAKE CONDOMINIUMS RECORD OF SURVEY PLAT TO EXPAND THE PRIVATE OWNERSHIP AREA OF UNIT 2

WHEREAS, the owner, of Unit 2 of the property known as The Knoll at Silverlake Condominiums, has petitioned the City Council for approval of a record of survey plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on September 26, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to expand the private ownership area of unit 2; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The condominium unit known as Unit 2 of the Knoll at Silverlake Condominiums is located at 7895 Royal Street East which is zoned RD-MPD.
2. The proposed amended record of survey adds private living space and changes limited common and common area to private ownership.
3. A vote exceeding 66.66% for approval of the amendment was received by the members of the Homeowners association; record of this vote has been received by the Planning Department.
4. The additions will not encroach into the required setbacks for the project.
5. The additions will not leave the project below the required 60% open space for an MPD.
6. The number of bedrooms does not increase.
7. No additional parking is required as a result of this floor area expansion.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this Amended Record of Survey.
2. The Amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amended Record of Survey.


SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit B is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey and declaration of condominiums for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. The applicant will record the Amended Record of Survey and the declaration of condominiums at the County within one year from the date of City Council approval. If recordation has not occurred at that time, this approval and the plat will be void.
3. All other conditions of approval of the Knoll at Silverlake Condominiums project apply.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 27th day of September, 2001.

PARK CITY MUNICIPAL CORPORATION



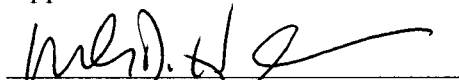
Mayor Bradley A. Olch

Attest:



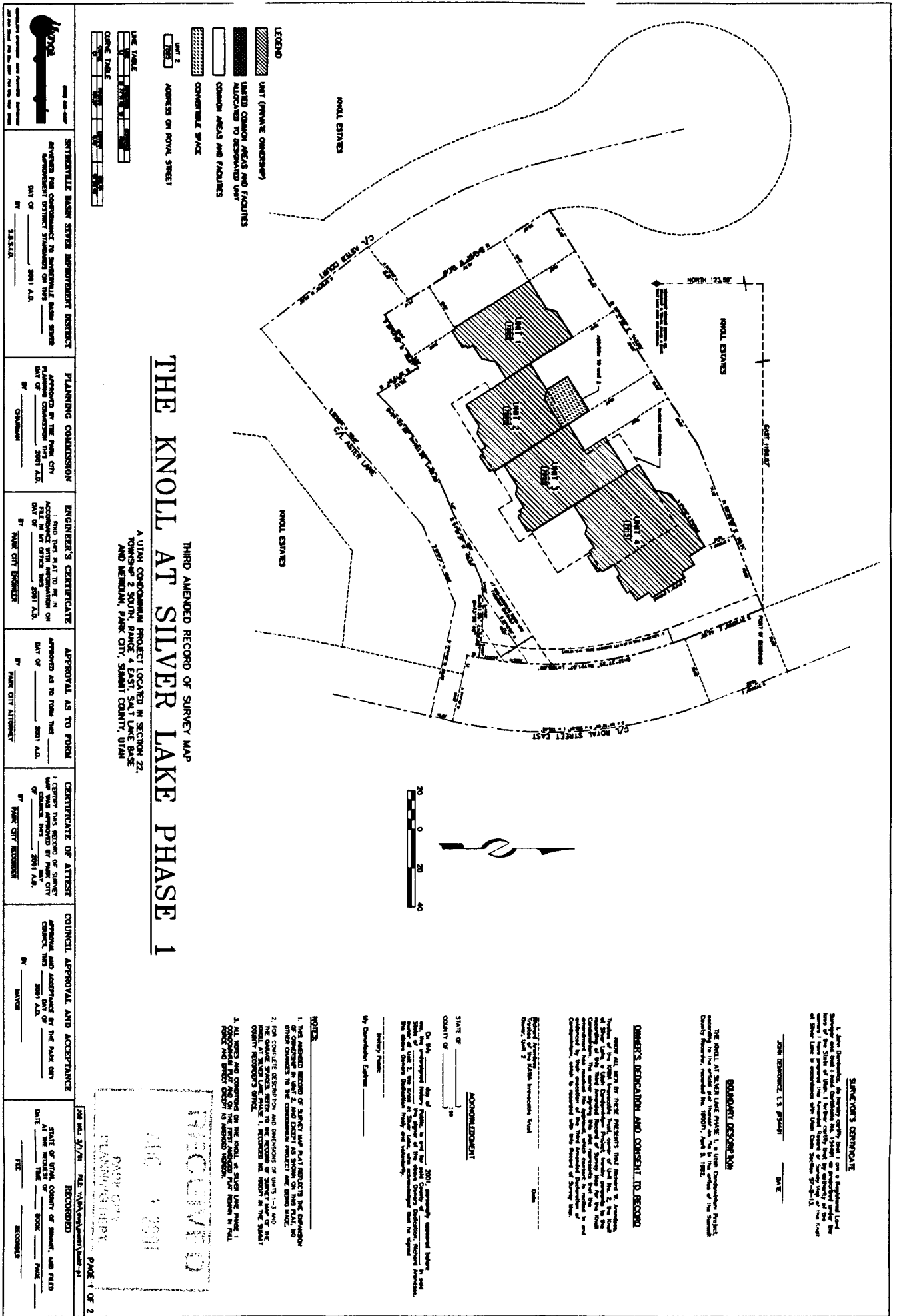
Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





THE KNOLL AT SILVER LAKE PHASE 1

THIRD AMENDED RECORD OF SURVEY MAP
 A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN
 AND MERIDIAN, PARK CITY, SALT LAKE COUNTY, UTAH

	SUTHERLAND BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR COMPLIANCE TO SUTHERLAND BASIN SEWER IMPROVEMENT DISTRICT ORDINANCE ON THE DATE OF _____ 2001 A.D. BY _____ 25313.LS.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE DATE OF _____ 2001 A.D. BY _____ CHAIRMAN	ENGINEER'S CERTIFICATE I AND THE STATE TO BE IN ACCORDANCE WITH REGULATION ON THE 17th UT OFFICE THE 2001 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DATE OF _____ 2001 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTORNEY I CERTIFY THAT RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY ON _____ 2001 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ 2001 A.D. BY _____ MAYOR	STATE OF UTAH, COUNTY OF SALT LAKE, AND FILED AT THE _____ COURT HOUSE, SALT LAKE CITY, UTAH, THIS _____ DAY OF _____ 2001. _____ CLERK
--	--	--	--	---	--	---	--

OWNER'S CERTIFICATE
 I, Jane Thompson, as Surveyor General, do hereby certify that I am a Registered Land
 Surveyor of the State of Utah, I hereby certify that I have examined the
 original map prepared by the Surveyor General and find it to be correct and
 conforming to the laws of the State of Utah, and I hereby certify that I have
 filed this map in accordance with the laws of the State of Utah, and I have
 caused the same to be recorded in the office of the County Recorder of the County
 of Salt Lake, Utah, on the _____ day of _____, 2001.

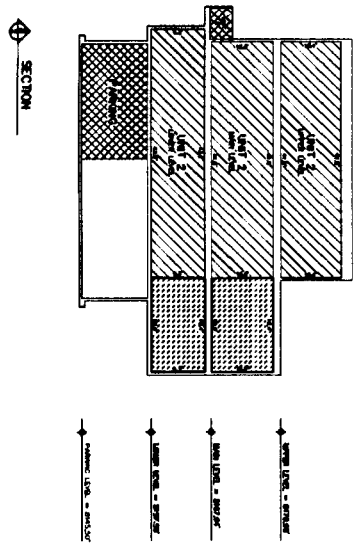
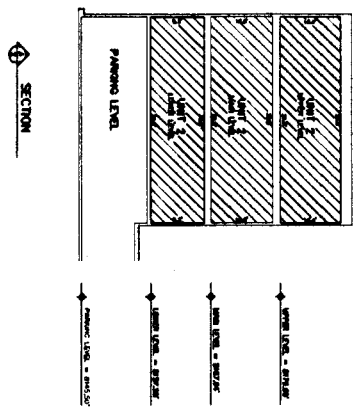
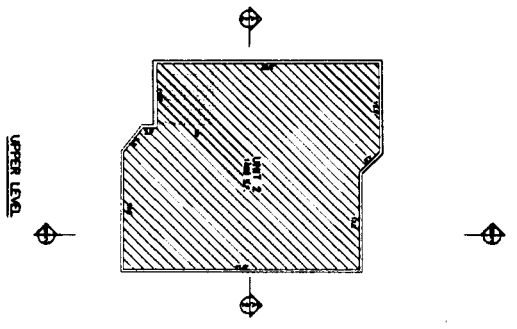
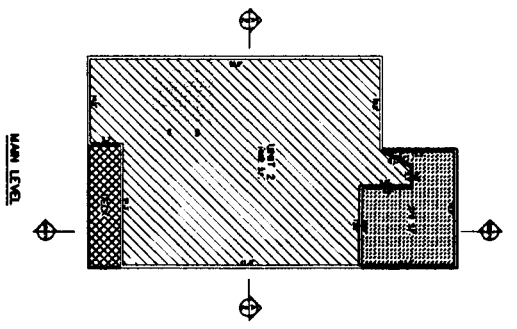
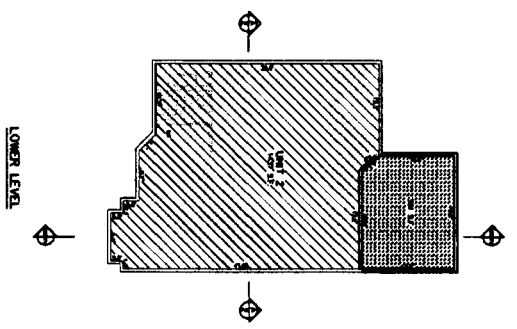
BOUNDARY DESCRIPTION
 THE KNOLL AT SILVER LAKE PHASE 1, A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN
 AND MERIDIAN, PARK CITY, SALT LAKE COUNTY, UTAH, WAS
 RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SALT LAKE COUNTY,
 UTAH, ON THE _____ DAY OF _____, 2001.

OWNER'S DECLARATION AND CONSENT TO RECORD
 WE, THE UNDERSIGNED, DO HEREBY DECLARE THAT WE ARE THE
 OWNERS OF THE ABOVE DESCRIBED PROPERTY, AND WE HEREBY
 CONSENT TO THE RECORDING OF THIS MAP, AND WE HEREBY
 WARRANT THAT THE MAP IS CORRECT AND ACCURATE, AND THAT
 WE HAVE THE AUTHORITY TO EXECUTE THIS DECLARATION.
 WE HEREBY WARRANT THAT THE MAP IS CORRECT AND ACCURATE,
 AND THAT WE HAVE THE AUTHORITY TO EXECUTE THIS DECLARATION.
 WE HEREBY WARRANT THAT THE MAP IS CORRECT AND ACCURATE,
 AND THAT WE HAVE THE AUTHORITY TO EXECUTE THIS DECLARATION.

ACKNOWLEDGMENT
 STATE OF _____
 COUNTY OF _____
 I, _____
 do hereby certify that I am the
 duly qualified and acting
 Clerk of the County of _____,
 Utah, and that I have examined
 the original map prepared by
 the Surveyor General and find
 it to be correct and conforming
 to the laws of the State of Utah,
 and I hereby certify that I have
 filed this map in accordance with
 the laws of the State of Utah,
 and I have caused the same to be
 recorded in the office of the County
 Recorder of the County of _____,
 Utah, on the _____ day of _____,
 2001.

- NOTES**
- THIS AMENDED RECORD OF SURVEY MAP PART REFLECTS THE EXPANSION
 OF THE PROJECT TO INCLUDE THE DEVELOPMENT OF THE PROJECT
 ON THE WEST SIDE OF THE PROJECT.
 - FOR FURTHER INFORMATION AND INFORMATION OF THE PUBLIC,
 THE SURVEYOR GENERAL HAS BEEN ADVISED OF THE
 KNOLL AT SILVER LAKE PHASE 1, RECORDED IN THE OFFICE OF THE
 COUNTY RECORDER OF SALT LAKE COUNTY, UTAH, ON THE _____ DAY OF _____,
 2001.
 - ALL NOTES AND CONDITIONS ON THE KNOLL AT SILVER LAKE PHASE 1
 CONDOMINIUM MAP AND ON THE FIRST AMENDED MAP REMAIN IN FULL
 FORCE AND EFFECT UNLESS OTHERWISE SPECIFIED.

RECEIVED
 4100 1 2001
 PARK CITY
 PLANNING DEPT
 PAGE 1 OF 2



MECHERO
 ARCHITECTS
 1000 N. 10TH ST.
 SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112
 WWW.MECHERO.COM

- LEGEND**
- UNIT (PRIVATE OWNERSHIP)
 - LIMITED COMMON AREAS AND FACILITIES ALLOCATED TO RESIDENTIAL UNIT
 - COMMON AREAS AND FACILITIES
 - CONVERTIBLE SPACE
 - S.F. SQUARE FEET

- NOTES**
1. REFER DIMENSIONS TO UNIT TO FINISHED SURFACES.
 2. ALL STRUCTURAL ELEMENTS ARE REMAINED AS COMMON AREAS.
 3. REFER TO EXPLANATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF THE PROJECT.
 4. THE DIMENSIONS OF THE UNIT, COMMON AREAS AND FACILITIES ARE BASED ON THE RECORD OF SURVEY MAP OF THE PROJECT. ALL DIMENSIONS OF THE UNIT, COMMON AREAS AND FACILITIES ARE BASED ON THE RECORD OF SURVEY MAP OF THE PROJECT. ALL DIMENSIONS OF THE UNIT, COMMON AREAS AND FACILITIES ARE BASED ON THE RECORD OF SURVEY MAP OF THE PROJECT.

THE KNOLL AT SILVER LAKE PHASE 1

THIRD AMENDED RECORD OF SURVEY MAP
 A UNIT CONDOMINIUM PROJECT LOCATED IN SECTION 22,
 TOWNSHIP 35N, RANGE 101E, COUNTY OF SHERIDAN, STATE OF WYOMING,
 AND NEARBY PARK CITY, SHERIDAN COUNTY, WYOMING

PREPARED BY: MECHERO ARCHITECTS
 DATE: 10/15/2011
 SHEET NO.: 101
 OF: 101
 PROJECT NO.: 101
 TITLE: THE KNOLL AT SILVER LAKE PHASE 1
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 REVISIONS:





Ordinance No. 01-41

AN ORDINANCE APPROVING A SUBDIVISION OF THE METES AND BOUNDS PARCEL LOCATED AT 1790 BONANZA DRIVE INTO TWO LOTS OF RECORD

WHEREAS, the applicant, Centura Development, for the property known as 1790 Bonanza Drive, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on September 12, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to subdivide one metes and bounds parcel into two lots of record; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the General Commercial (GC) zone.
2. The GC zone is characterized by a mix of multi-family dwellings, retail commercial structures and commercial office uses.
3. The Planning Commission forwarded a positive recommendation to the City Council for the proposed subdivision on September 12, 2001.
4. The amendment will subdivide the metes and bounds parcel at 1790 Bonanza Drive into two (2) platted lots of record to allow for additional development on the property.
5. Proposed Lot A will consist of 1.89 acres.
6. Proposed Lot B will consist of .51 acres.
7. The project is on Bonanza Drive with dense commercial uses. Adequate construction staging area is necessary.
8. Access to both lots will be shared.
9. An access easement for Lot B will be shown on the plat.
10. Two buildings of approximately 10,200 square feet each exist on proposed Lot A.
11. The Land Management Code requires 50 parking spaces for the current uses within the

12. 50 parking spaces are proposed for Lot A.
13. No remnant lots will be created by this plat amendment.
14. The City owned section of the Rail Trail abuts the property along the south property line.
15. A section of pavement encroaches onto the City owned Rail Trail property that is used by the applicant to access the rear of the property.
16. The City and the applicant have entered into preliminary discussions regarding the relationship between the proposed subdivision and the Rail Trail.
17. The subdivision plat amendment will increase density on the lot.
18. Staff will review the applicant's proposed modifications to the existing Business Commons building as a Master Planned Development application.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

- I.
 1. There is good cause for this plat amendment.
 2. The amended plat is consistent with the Park City Land Management Code, General Plan and applicable State law regarding subdivision plats.
 3. Neither the public nor any person will be materially injured by the proposed amended plat.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit B is hereby adopted with the following Conditions of Approval:

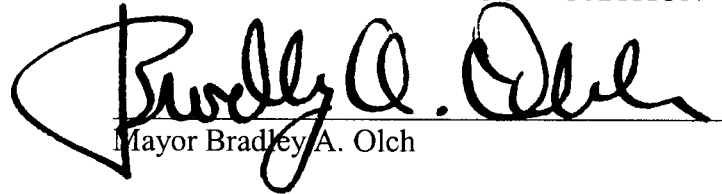
1. The City Attorney and City Engineer review and approval of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. All proposed construction and improvements to Lot A of the Centura Commons Subdivision will require review and approval by the Planning Commission as a Master Planned Development application. This note shall be added to the plat.
3. Cross easements shall be shown on the plat providing access for the carwash across the parking area of the Business Commons from the rear exit, and from the main entrance from Bonanza Drive.
4. If the applicant and Park City Municipal Corporation have not reached an agreement regarding improvements to the Rail Trail within one year of this approval, then Park City Municipal shall have the option to require that the applicant remove the existing improvements to the rear of the Business Commons and restore the property to a natural state.
5. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
6. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
7. No further subdivision of the property is allowed on either lot.
8. The City Engineer, in accordance with his approval of the plat, will review the cross easements necessary for this development.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon

publication.

PASSED AND ADOPTED this 20th day of September, 2001.

PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

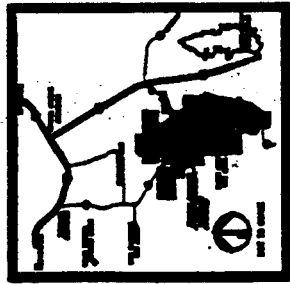
Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney

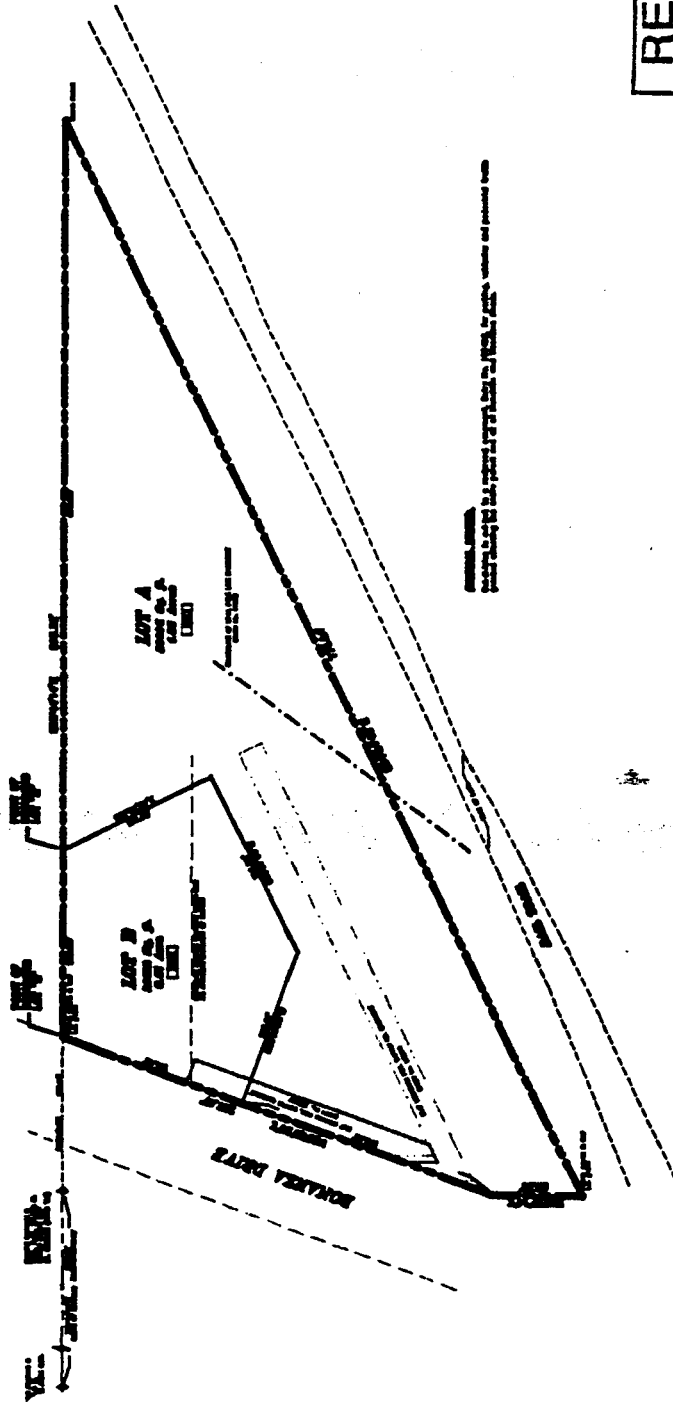




VICINITY MAP



- ◆ Public Right-of-Way
- Public Right-of-Way to be Acquired
- Other Right-of-Way
- Easement



GENERAL NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL CORNERS ARE TO BE BENCHMARKED TO THE NEAREST AVAILABLE BENCHMARK.

SECTION 1: GENERAL NOTES
 1. THIS PRELIMINARY PLAT IS SUBJECT TO THE APPROVAL OF THE CITY PLANNING DEPARTMENT AND THE CITY COUNCIL.
 2. THE PLAT IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE CITY PLANNING DEPARTMENT AND THE CITY COUNCIL.
 3. THE PLAT IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE APPROVAL OF THE CITY PLANNING DEPARTMENT AND THE CITY COUNCIL.

SECTION 2: LEGAL DESCRIPTION
 A certain parcel of land, more particularly described as follows: [Detailed legal description of the property, including acreage and location details.]

SECTION 3: PROPERTY INFORMATION
 The property is located in the City of Parkville, Missouri, and is zoned [Zoning Code]. The property is owned by [Owner Name], who is the sole owner and has the right to sell, lease, or otherwise dispose of the property.

SECTION 4: PREPARATION AND RECORDATION
 This plat was prepared by [Surveyor Name], a Licensed Professional Surveyor in the State of Missouri. It was recorded on [Date] at [Time] in the [County] of [State].

PRELIMINARY PLAT
CENTURA COMMONS
 A TWO LOTS SUBDIVISION

PREPARED BY THE
THE JACK JOHNSON COMPANY
 1775 S. W. 10th St., Suite 100
 Fort Worth, Texas 76104
 Phone: (817) 339-1111

RECEIVED
 JUL 29 2001
 PARK CITY
 PLANNING DEPT.



RECORDED

BOOK NO. _____ PAGE NO. _____

DATE OF RECORDATION _____

BY _____

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THE _____ DAY OF _____ 2001.

CITY ATTORNEY _____

CITY COUNCIL

APPROVED TO THE PARK CITY COUNCIL ON THE _____ DAY OF _____ 2001.

CITY ENGINEER _____

CITY ENGINEER

APPROVED FOR SUBMISSION TO THE CITY PLANNING DEPARTMENT ON THE _____ DAY OF _____ 2001.

CITY ENGINEER _____

SEWER DISTRICT

APPROVED FOR CONNECTION TO SEWERAGE SYSTEM ON THE _____ DAY OF _____ 2001.

SEWER DISTRICT _____

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THE _____ DAY OF _____ 2001.

CITY PLANNING COMMISSION _____



00600381 Bk01401 Pg00499-00502
10/18 25
ALAN SPRIGGS, SUMMIT CO RECORDER
2001 OCT 12 10:26 AM FEE \$.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

Fee Exempt per Utah Code Annotated 1953 21-7-2

Ordinance No. 01-40

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS AT THE EMPIRE CANYON DAY LODGE (BALD EAGLE WATER LINE CONNECTION), PARK CITY, UTAH

WHEREAS, the Deer Valley Special Exception permit and the Flagstaff Mountain Development Agreement were approved by the Park City City Council; and

WHEREAS, construction of public improvements has been accomplished by the developer, including a water distribution system connecting the Silver Lake Tank to the Empire Canyon Day Lodge; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements serving the Empire Canyon Day Lodge were installed in accordance with the ordinances in effect at the time of project application and have been duly inspected by the City Engineer.

NOW THEREFORE BE IT ORDAINED by the Park City Council as follows:

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer the waterline connecting the Silver Lake Tank at Bald Eagle with the Empire Canyon Day Lodge, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold a financial guarantee for a period of one year following the adoption of this ordinance.

SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon

publication.

PASSED AND ADOPTED this 13th day of September, 2001

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

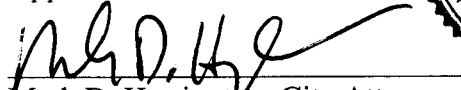
Attest:



Janet M. Scott, City Recorder



Approved as to Form:



Mark D. Harrington, City Attorney

00600381 BR01401 Pg00500

Exhibit A
To
Grant of Easement

A parcel of land 30' in width, being 15' on each side of the following three described centerlines:

1. **EMPIRE DAY LODGE
WATER LINE EASEMENT - MAIN LINE
December 15, 2000**

Beginning at a point South 3635.89 feet and West 4772.28 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence 309.26 feet along the arc of a curve to the left through a central angle of 08°33'22" and having a radius of 2070.92 feet, of which the radius point bears North 47°19'05" West; thence 228.73 feet along the arc of a curve to the right having a radius of 1614.55 feet (chord bears North 17°13'08" East 228.54 feet); thence North 21°16'38" East 64.98 feet to a point on a curve to the right having a radius of 350.00 feet, of which the radius point bears South 68°43'21" East; thence along the arc of said curve 130.13 feet through a central angle of 21°18'11"; thence North 42°34'49" East 138.06 feet to a point on a curve to the left having a radius of 650.00 feet, of which the radius point bears North 47°25'11" West; thence along the arc of said curve 176.50 feet through a central angle of 15°33'30"; thence North 27°01'19" East 140.90 feet to a point on a curve to the right having a radius of 500.00 feet, of which the radius point bears South 62°58'41" East; thence along the arc of said curve 189.22 feet through a central angle of 21°41'00"; thence North 48°42'19" East 195.38 feet to a point on a curve to the right having a radius of 500.00 feet, of which the radius point bears South 41°17'40" East; thence along the arc of said curve 220.90 feet through a central angle of 25°18'49"; thence North 74°01'08" East 447.86 feet to a point on a curve to the left having a radius of 3200.00 feet, of which the radius point bears North 15°58'52" West; thence along the arc of said curve 231.20 feet through a central angle of 04°08'23"; thence North 69°52'45" East 87.35 feet; thence South 65°39'52" East 63.10 feet; thence 308.13 feet along the arc of a curve to the left having a radius of 1345.85 feet (chord bears South 61°59'49" East 307.45 feet); thence North 54°17'55" East 30.65 feet; thence 497.87 feet along the arc of a curve to the right having a radius of 1616.64 feet (chord bears North 35°09'50" East 495.90 feet) to a point on a curve to the left having a radius of 400.00 feet, of which the radius point bears North 46°00'49" West; thence along the arc of said curve 100.00 feet through a central angle of 14°19'26" to a point on a curve to the right having a radius of 375.00 feet; thence along the arc of said curve 113.81 feet through a central angle of 17°23'21"; thence 141.59 feet along the arc of a curve to the right having a radius of 441.12 feet (chord bears North 76°39'24" East 140.98 feet); thence North 85°51'07" East 40.60 feet to a point on a curve to the left having a radius of 1000.00 feet, of which the radius point bears North 06°26'19" West; thence along the arc of said curve 116.42 feet through a central angle of 06°40'12"; thence North 76°53'28" East 147.42 feet to a point on a curve to the right having a radius of 565.54 feet, of which the radius point bears South 13°06'32" East; thence along the arc of said curve 153.75 feet through a central angle of 15°34'35" to a point on a curve to the right having a radius of 699.84 feet, of which the radius point bears South 02°28'03" West; thence along the arc of said curve 414.30 feet through a central angle of 33°55'08" to a point on a curve to the left having a radius of 975.00 feet, of which the radius point bears North 36°23'12" East; thence along the arc of said curve 256.32 feet through a central angle of 15°03'45" to a point on a curve to the left having a radius of 448.34 feet, of which the radius point bears North 21°19'27" East; thence along the arc of said

BEC-31
BEC-35
BEC-WATER
SLE-3-AM
PCA-1200-4
5-98
PCA-5-98-E

00600381 Bk01401 Pg00501

3

00582506 Bk01354 Pg00199

curve 50.18 feet through a central angle of 06°24'45"; thence South 75°05'18" East 225.50 feet; thence 267.35 feet along the arc of a curve to the left having a radius of 555.89 feet (chord bears South 41°50'45" East 264.78 feet); thence 294.23 feet along the arc of a curve to the left having a radius of 1790.00 feet (chord bears North 77°22'13" East 293.89 feet); thence 176.34 feet along the arc of a curve to the left having a radius of 357.47 feet (chord bears South 74°32'35" East 174.55 feet); thence South 88°40'30" East 28.79 feet; thence South 74°14'06" East 238.12 feet; thence North 59°32'22" East 93.74 feet; thence North 83°45'58" East 14.53 feet; thence South 71°59'47" East 125.89 feet; thence North 80°22'29" East 12.81 feet; thence North 54°07'27" East 349.16 feet to a point on a curve to the right having a radius of 2880.22 feet; thence along the arc of said curve 410.00 feet through a central angle of 08°09'22"; thence North 58°18'10" East 141.86 feet; thence North 77°25'21" East 76.64 feet; thence North 38°11'59" East 52.67 feet to a point on a curve to the left having a radius of 1600.00 feet, of which the radius point bears North 51°48'01" West; thence along the arc of said curve 232.05 feet through a central angle of 08°18'35"; thence North 29°53'25" East 111.62 feet; thence 277.44 feet along the arc of a curve to the left having a radius of 4626.07 feet (chord bears North 19°54'14" East 277.39 feet); thence North 38°32'16" East 228.01 feet; thence North 65°26'55" East 290.47 feet; thence North 24°27'12" East 123.15 feet; thence North 51°29'51" East 4.40 feet; thence 124.11 feet along the arc of a curve to the right having a radius of 767.44 feet (chord bears North 87°28'52" East 123.97 feet) and terminating. The basis of bearing for the above description is North 00°41'59" East between the southwest corner of Section 22 and the southeast corner of Section 16.

2. **EMPIRE DAY LODGE**
WATER LINE EASEMENT – FIRE LATERAL AT EMPIRE DAY LODGE
 December 15, 2000

Beginning at a point South 3511.79 feet and West 4666.56 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 48°09'45" West 48.45 feet to a point on a curve to the left having a radius of 500.00 feet, of which the radius point bears South 41°50'15" West; thence along the arc of said curve 213.41 feet through a central angle of 24°27'18"; thence North 72°37'03" West 97.44 feet and terminating. The basis of bearing for the above description is North 00°41'59" East between the southwest corner of Section 22 and the southeast corner of Section 16.

3. **LEGAL DESCRIPTION**
WATER LINE EASEMENT – DRAIN LINE
 December 15, 2000

Beginning at a point South 2030.82 feet and East 233.91 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 02°37'54" West 7.02 feet; thence North 41°10'52" East 56.25 feet; thence North 80°15'53" East 5.02 feet and terminating. The basis of bearing for the above description is North 00°41'59" East between the southwest corner of Section 22 and the southeast corner of Section 16.

PCA-1200-3
 PCA-1200-4

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00600381 Bk01401 Pg00502

Marked 10/09



When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**

Ordinance No. 01-40

**AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT THE EMPIRE CANYON DAY LODGE
(BALD EAGLE WATER LINE CONNECTION), PARK CITY, UTAH**

WHEREAS, the Deer Valley Special Exception permit and the Flagstaff Mountain Development Agreement were approved by the Park City City Council; and

WHEREAS, construction of public improvements has been accomplished by the developer, including a water distribution system connecting the Silver Lake Tank to the Empire Canyon Day Lodge; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements serving the Empire Canyon Day Lodge were installed in accordance with the ordinances in effect at the time of project application and have been duly inspected by the City Engineer.

NOW THEREFORE BE IT ORDAINED by the Park City Council as follows:

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer the waterline connecting the Silver Lake Tank at Bald Eagle with the Empire Canyon Day Lodge, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold a financial guarantee for a period of one year following the adoption of this ordinance.

SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon

publication.

PASSED AND ADOPTED this 13th day of September, 2001

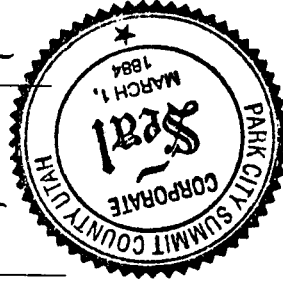
PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

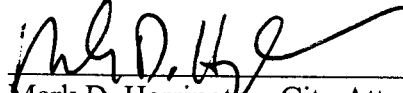
Attest:



Janet M. Scott, City Recorder



Approved as to Form:



Mark D. Harrington, City Attorney

Exhibit A
To
Grant of Easement

A parcel of land 30' in width, being 15' on each side of the following three described centerlines:

1. **EMPIRE DAY LODGE
WATER LINE EASEMENT – MAIN LINE
December 15, 2000**

Beginning at a point South 3635.89 feet and West 4772.28 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence 309.26 feet along the arc of a curve to the left through a central angle of 08°33'22" and having a radius of 2070.92 feet, of which the radius point bears North 47°19'05" West; thence 228.73 feet along the arc of a curve to the right having a radius of 1614.55 feet (chord bears North 17°13'08" East 228.54 feet); thence North 21°16'38" East 64.98 feet to a point on a curve to the right having a radius of 350.00 feet, of which the radius point bears South 68°43'21" East; thence along the arc of said curve 130.13 feet through a central angle of 21°18'11"; thence North 42°34'49" East 138.06 feet to a point on a curve to the left having a radius of 650.00 feet, of which the radius point bears North 47°25'11" West; thence along the arc of said curve 176.50 feet through a central angle of 15°33'30"; thence North 27°01'19" East 140.90 feet to a point on a curve to the right having a radius of 500.00 feet, of which the radius point bears South 62°58'41" East; thence along the arc of said curve 189.22 feet through a central angle of 21°41'00"; thence North 48°42'19" East 195.38 feet to a point on a curve to the right having a radius of 500.00 feet, of which the radius point bears South 41°17'40" East; thence along the arc of said curve 220.90 feet through a central angle of 25°18'49"; thence North 74°01'08" East 447.86 feet to a point on a curve to the left having a radius of 3200.00 feet, of which the radius point bears North 15°58'52" West; thence along the arc of said curve 231.20 feet through a central angle of 04°08'23"; thence North 69°52'45" East 87.35 feet; thence South 65°39'52" East 63.10 feet; thence 308.13 feet along the arc of a curve to the left having a radius of 1345.85 feet (chord bears South 61°59'49" East 307.45 feet); thence North 54°17'55" East 30.65 feet; thence 497.87 feet along the arc of a curve to the right having a radius of 1616.64 feet (chord bears North 35°09'50" East 495.90 feet) to a point on a curve to the left having a radius of 400.00 feet, of which the radius point bears North 46°00'49" West; thence along the arc of said curve 100.00 feet through a central angle of 14°19'26" to a point on a curve to the right having a radius of 375.00 feet; thence along the arc of said curve 113.81 feet through a central angle of 17°23'21"; thence 141.59 feet along the arc of a curve to the right having a radius of 441.12 feet (chord bears North 76°39'24" East 140.98 feet); thence North 85°51'07" East 40.60 feet to a point on a curve to the left having a radius of 1000.00 feet, of which the radius point bears North 06°26'19" West; thence along the arc of said curve 116.42 feet through a central angle of 06°40'12"; thence North 76°53'28" East 147.42 feet to a point on a curve to the right having a radius of 565.54 feet, of which the radius point bears South 13°06'32" East; thence along the arc of said curve 153.75 feet through a central angle of 15°34'35" to a point on a curve to the right having a radius of 699.84 feet, of which the radius point bears South 02°28'03" West; thence along the arc of said curve 414.30 feet through a central angle of 33°55'08" to a point on a curve to the left having a radius of 975.00 feet, of which the radius point bears North 36°23'12" East; thence along the arc of said curve 256.32 feet through a central angle of 15°03'45" to a point on a curve to the left having a radius of 448.34 feet, of which the radius point bears North 21°19'27" East; thence along the arc of said

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PCA-1200-3
 PCA-1200-4

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Ordinance No. 01-39

AN ORDINANCE APPROVING THE FINAL SUBDIVISION PLAT FOR THE CALDERONE SUBDIVISION LOCATED AT 300 MCHENRY AVENUE, PARK CITY, UTAH

WHEREAS, the owner, Mr. Peter Calderone, of the property at 300 McHenry Avenue, Park City, Utah, have petitioned the City Council for approval of a final Subdivision; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on August 22, 2001 the Planning Commission held a public hearing to receive public input on the proposed final Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, it is in the best interest of Park City, Utah to approve the final Subdivision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact.

1. The proposed guest house is located in the Estate zoning district and requires a Conditional Use Permit.
2. The proposed Subdivision is for a metes and bound parcel to create a single lot of record to accommodate the construction of a Guest House.
3. A Subdivision is required to create a single lot of record.
4. All vehicular circulation occurs on-site via a private driveway off McHenry Avenue. Significant vegetation exists on the property which buffers the proposed Guest House from adjacent properties.

5. The property owner is proposing a 1,800 square foot guest house on 3.4 acres.
6. The adjacent uses are residential and City open space.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat and that neither the public nor any person will be materially injured by the proposed subdivision plat.

1. The use as conditioned is consistent with Park City General Plan, Land Management Code, and State law regarding subdivisions.
2. There is good cause for this subdivision.
3. Neither the public nor any person will be materially injured by the approval of the plat, subject to the conditions of approval. Approval of the subdivision does not adversely affect the health, safety and welfare of the citizens of Park City.

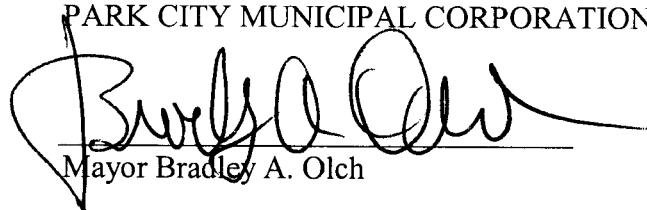
SECTION 3. PLAT APPROVAL. The subdivision plat, known as Town Pointe, is hereby approved as shown on Exhibit A, with the following conditions:

1. All standard project conditions shall apply.
2. The Subdivision is a condition precedent on review and approval by City Council.
3. A Construction Mitigation Plan (CMP) submitted to and approved by the Community Development Department is required prior to issuance of a building permit.
4. The City Attorney and City Engineer will review and approve the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
5. A lighting, grading, and landscape plan, compatible with the existing landscaping, shall be submitted to and approved by the Planning Department prior to issuance of any building permit.
6. This approval shall expire within (12) twelve months from the date of Council approval, unless this Subdivision is recorded prior to the date.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 30th day of August, 2001

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

Attest:

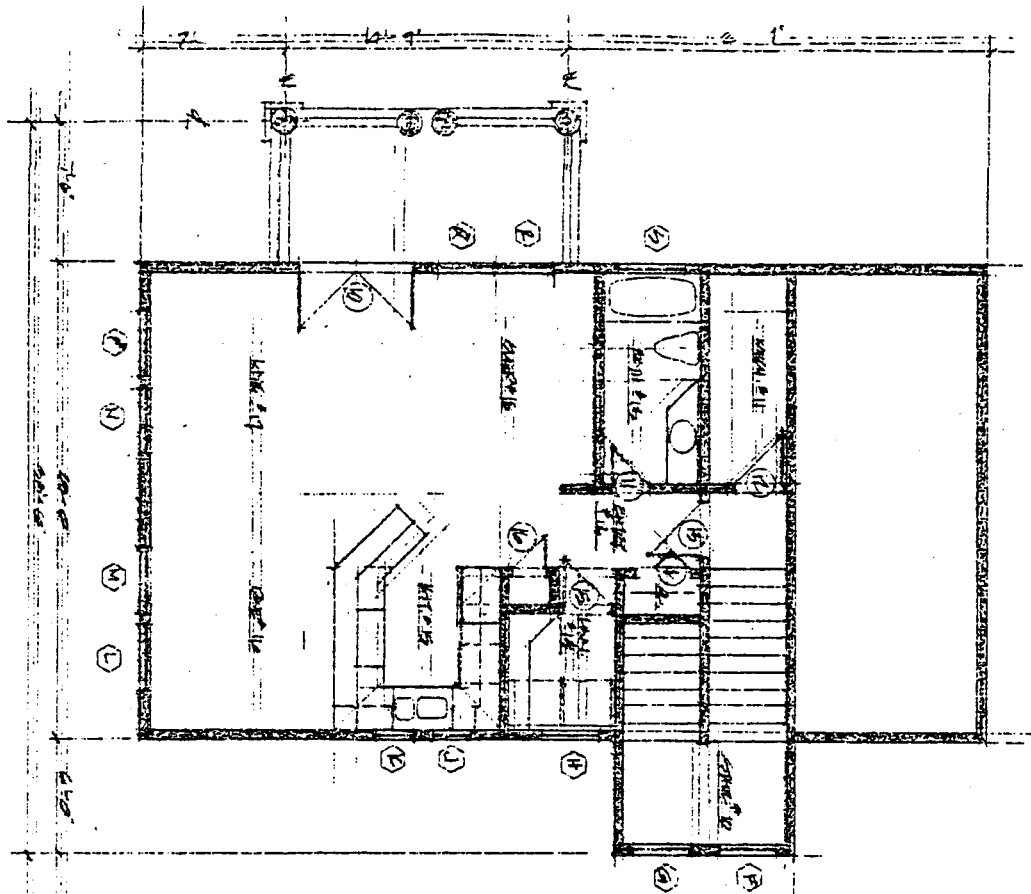
Janet M. Scott
Janet M. Scott, City Recorder



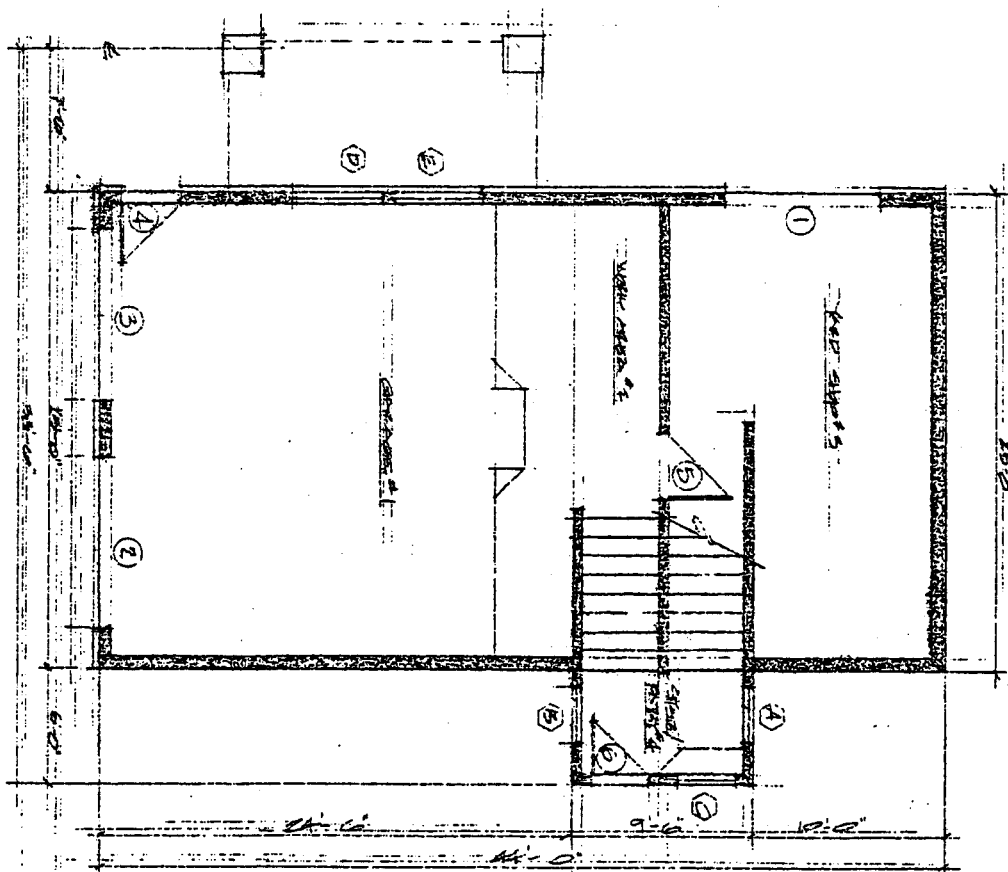
Approved as to form:

Mark D. Harrington
Mark D. Harrington, City Attorney

MAIN HOUSE PLAN



GRAND PORCH PLAN



SHEET

TED WARR 1725 S. University Ave. Suite 101 435-649-5840
 architect p.o. box 680092 park city, utah 84068
 GUESTHOUSE ADDITION TO MR. & MRS. PETER CALDERONE RESIDENCE
 300 W. Cherry Ave. park city, utah

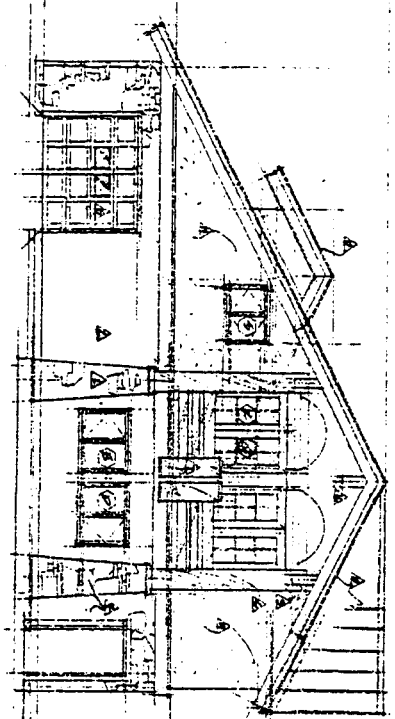
RECEIVED

JUN 27 2001

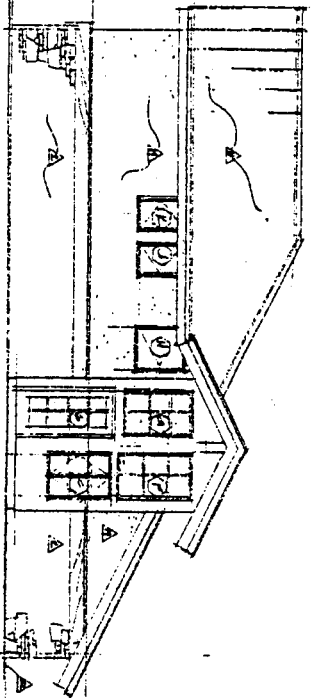
PARK CITY PLANNING DEPT.

Floor Plans

WEST ELEVATION

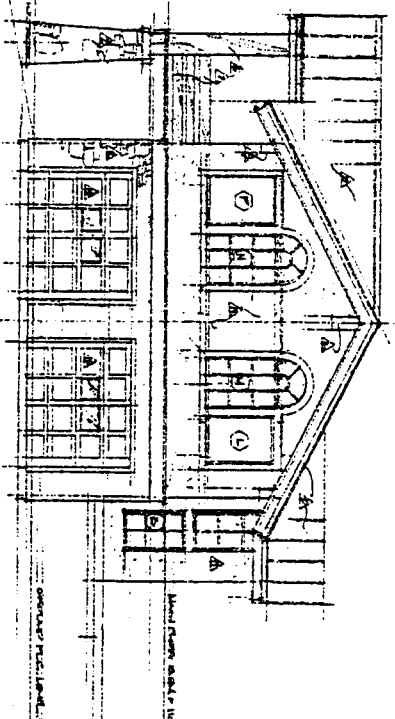


SOUTH ELEVATION

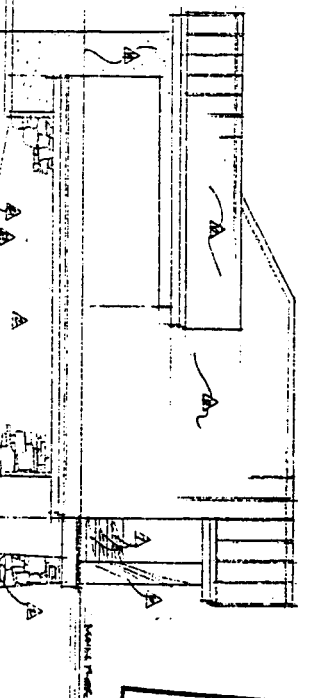


- REVISIONS:
- 1. CORRECT FOUNDATION SETTING
 - 2. CORRECT WINDOW SIZES
 - 3. CORRECT DOOR SIZES
 - 4. CORRECT PORCH SIZES
 - 5. CORRECT ROOF PITCH
 - 6. CORRECT GROUND LEVEL
 - 7. CORRECT FINISHES
 - 8. CORRECT MATERIALS
 - 9. CORRECT LIGHTING
 - 10. CORRECT PLUMBING
 - 11. CORRECT ELECTRICAL
 - 12. CORRECT MECHANICAL
 - 13. CORRECT PAINT
 - 14. CORRECT HARDWARE
 - 15. CORRECT FLOORING
 - 16. CORRECT CEILING
 - 17. CORRECT WALLS
 - 18. CORRECT TRIM
 - 19. CORRECT STAIRS
 - 20. CORRECT PORCH
 - 21. CORRECT DRIVEWAY
 - 22. CORRECT LANDSCAPE
 - 23. CORRECT UTILITY
 - 24. CORRECT FOUNDATION
 - 25. CORRECT ROOF
 - 26. CORRECT INSULATION
 - 27. CORRECT VENTILATION
 - 28. CORRECT EXHAUST
 - 29. CORRECT HEATING
 - 30. CORRECT COOLING
 - 31. CORRECT WATER
 - 32. CORRECT SEWER
 - 33. CORRECT GAS
 - 34. CORRECT RADIANT
 - 35. CORRECT SMART
 - 36. CORRECT SECURITY
 - 37. CORRECT ACCESSIBILITY
 - 38. CORRECT ENERGY
 - 39. CORRECT SUSTAINABILITY
 - 40. CORRECT WELLNESS
 - 41. CORRECT BIOPHILIC
 - 42. CORRECT UNIVERSAL
 - 43. CORRECT INCLUSIVE
 - 44. CORRECT EQUITY
 - 45. CORRECT JUSTICE
 - 46. CORRECT COMMUNITY
 - 47. CORRECT CULTURE
 - 48. CORRECT IDENTITY
 - 49. CORRECT BELONGING
 - 50. CORRECT WELLBEING

WEST ELEVATION



EAST ELEVATION



RECEIVED
 JUN 27 2001
 PARK CITY
 PLANNING DEPT.



Ordinance No. 01-38

**AN ORDINANCE AMENDING TITLE 4 OF
THE MUNICIPAL CODE OF PARK CITY TO EXTEND THE CONVENTION SALES
BUSINESS LICENSING TO INCLUDE HOSPITALITY EVENTS IN CONJUNCTION
WITH THE 2002 WINTER OLYMPICS (SECTION 4-3-9)**

WHEREAS, the state legislature amended Utah Code Ann. §10-1-201 to revise municipal authority with regard to business licensing and fees; and

WHEREAS, the state legislature identified the costs of administrative services as municipal services eligible for revenue generation by business license fees; and

WHEREAS, the City wishes to comply with said legislation by amending its business license ordinances to recover administrative costs incurred by the City in issuing convention sales licenses for hospitality events during the 2002 Winter Olympics; and

WHEREAS, a public hearing was held on August 30, 2001; and

WHEREAS, the following ordinance is deemed by the City Council to be in the best interest of the residents of Park City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION I. PURPOSE. The purpose of the amendment enacted hereby for convention sales issued during the 2002 Winter Olympics is explained in the City Council Staff Report dated August 24, 2001, and is incorporated herein by reference.

SECTION II. AMENDMENT. Chapter 3, Title 4 of the Municipal Code of Park City is hereby amended as follows:

4- 3- 9. CONVENTION SALES AND OLYMPIC COMMERCIAL HOSPITALITY.

The Finance Department may issue licenses for a period not to exceed two (2) weeks for temporary use of convention and meeting rooms within any licensed convention or meeting facility for the purpose of temporary retail sales of goods or services, whether in conjunction with a convention or not. Solicitation of orders for future sales or deliveries of goods or services is permissible without licensure.

Olympics: The Finance Department may issue licenses for a period not to exceed five (5) weeks for temporary use of convention, meeting, restaurant and retail rooms within any licensed business for the purpose of temporary commercial hospitality events.

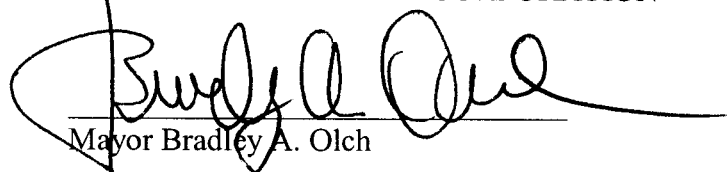
The licenses may be issued on the following terms:

- (A) LICENSE FEE. The license fee shall be as set forth in the Park City License Fee Schedule. An additional Administrative Fee as set forth in the Park City License Fee Schedule is hereby authorized for all such temporary licenses effective during any portion of the Sundance Film Festival or the 2002 Winter Olympics.
- (B) STATE TAX NUMBER. The applicant must provide his sales tax identification number as a part of the license application to assist in verifying the collection and reporting of sales tax.
- (C) APPLICATIONS. Applications must be filed at least ten (10) days prior to the proposed date of commencement of business to permit adequate time for the Police Department review and investigation. The police may request reasonable evidence of title to goods proposed to be offered for sale as a part of the review.
- (D) RESPONSIBILITY OF HOST BUSINESS TO ENSURE LICENSING AND COMPLIANCE WITH THE UNIFORM BUILDING AND FIRE CODES. Businesses which make all of or a portion or portions of their licensed business locations available to other persons for the purpose of engaging in business shall be responsible to ensure that such persons obtain business licenses and possess Utah state sales tax numbers listed in Park City. In the event a licensed hotel, motel, inn or bed-and-breakfast business fails to require such a showing, that business shall be liable for payment of all license fees and penalties payable by the person engaging in business at their licensed location. If such business is not currently licensed for assembly use, the business shall obtain the necessary inspection and permit from the Building Department. Nothing herein shall relieve the sub-letting/guest business from their individual responsibility to obtain the necessary licenses.

SECTION III. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 30th day of August, 2001.

PARK CITY MUNICIPAL CORPORATION



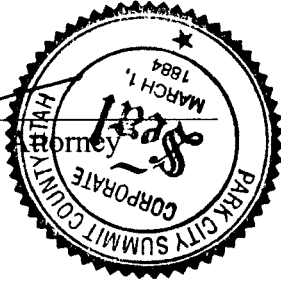
Mayor Bradley A. Olch

Attest:

Janet M. Scott
Janet M. Scott, City Recorder

Approved as to Form:

Mark D. Harrington
Mark D. Harrington, City Attorney





Ordinance No. 01-37

**AN ORDINANCE ADOPTING A CAPITAL FACILITIES PLAN,
AN IMPACT FEE ANALYSIS, AND AMENDING TITLE 11, CHAPTER 13
OF THE MUNICIPAL CODE OF PARK CITY, UTAH SETTING
FORTH THE ASSESSMENT AND CALCULATION OF WATER IMPACT FEES**

WHEREAS, Park City Municipal Corporation is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the City has created a Capital Facilities Plan and requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of facilities relating to growth; and

WHEREAS, the City Council has caused an Impact Fee Study and Analysis to be completed for the City and consistent with the Impact Fees Act Section 11, Chapter 36 Parts 101-401, Utah Code Ann.; and

WHEREAS, the Impact Fee Study contains an analysis and an executive summary that clearly defines the methodology by which the impact fees have been calculated and which identifies the impact upon the water system required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity; and

WHEREAS, a public hearing was duly noticed and held at the regular scheduled City Council meeting of August 9, 2001;

NOW THEREFORE BE IT ORDAINED:

SECTION 1. PURPOSE. This Impact Fee Ordinance is promulgated pursuant to the requirements of the Impact Fees Act, Utah Code Annotated §11-36-101-401 (the "Act"). The purpose of this ordinance is to provide for the generation of sufficient revenue to pay the costs of water capital projects, water rights and debt service on long-term debt issued to finance the cost of additions to the City's water system.

SECTION 2. CAPITAL FACILITIES PLAN ADOPTED. The Capital Facilities Plan dated January 2001 relating to water capital projects to be funded through impact fees is hereby adopted.

SECTION 3. IMPACT FEE ANALYSIS ADOPTED. The June 2001 Impact Fee Study and Analysis generated by the City pursuant to the Act is hereby adopted.

SECTION 4. AMENDMENTS TO THE MUNICIPAL CODE OF PARK CITY, UTAH ADOPTED -

(A) **Amendment to 11-13.1, Definitions.** Section 11-13-1 (O) of the Municipal Code of Park City, Utah is hereby amended as follows:

Public Facilities identified in the ~~1995~~ 2001 Capital Facilities Plan and Impact Fee Analysis, the ~~1995~~ 2001 Water Capital Facilities Plan and Analysis, ~~or the 1993 School Facilities Capital Improvement Program,~~ that are not Project Improvements.

(B) **Amendment to 11-13-2, Assessment and Calculation of Impact Fees.** Subsections (4) Water Connection Impact Fee and (5) Water Development Impact Fee of Section 11-13-2, are hereby repealed and replaced in their entirety by a new Subsection (4) Water Impact Fee Schedule as follows:

Residential Indoor Water Impact Fees

Size (sf)	≤ 1000	1001-1500	1501-3000	3001-4500	4501-6000	>6000
# Bdrm	2	3	4	5	6	7+
Fee	\$1,510	\$2,270	\$3,025	\$3,780	\$4,540	\$5,300

Outdoor (Landscaping) Water Impact Fees

Irrigated Area (sf)	0-2000	2001-4000	4001-6000	6001-8000	8001-10,000	>10,000
Fee	\$1,200	\$2,400	\$3,600	\$4,800	\$6,000	\$6000+ \$633/1000 sq ft

WATER SYSTEM IMPROVEMENTS SUMMARY OF FEE CALCULATION		
Development Type	Fee	
Residential per each Equivalent Residential Unit (ERU)	\$9,760	
Commercial/Industrial	\$9,760 x equivalent user ratio	
Further calculation and presentation is included in the Impact Fee Analysis, Exhibit B		

INDOOR NON-RESIDENTIAL MULTIPLIERS
Based on IBC Table 1003.2.2.2

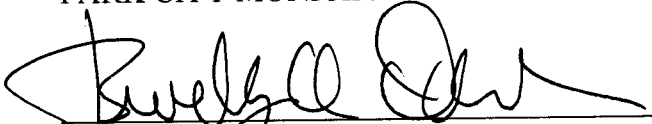
OCCUPANCY	FLOOR AREA IN SQ. FT. PER OCCUPANT	EQUIVALENT ERU'S PER OCCUPANT
Assembly		
Bars	15	0.012
Restaurants	15	0.021
Theaters, Auditoriums, Churches ,etc.	15 or # of fixed seats	0.003
Others not listed	per IBC Table 1003.2.2.2	Calculated at the time of application
Business/Office areas	100	0.009
Educational		
Classroom area	20	0.015
Shops/Vocational areas	50	
Exercise rooms	50	0.015
Hotels and Motels	200	0.030
Industrial areas	100	0.021
Institutional areas		
Inpatient treatment areas	240	
Outpatient areas	100	0.151
Sleeping areas	120	
Mercantile	per IBC Table 1003.2.2.2	0.007
Skating rinks, swimming pools		
Rink and pool	50	0.006
Decks	15	
Warehouses	500	0.021

Parking garages, Carwash, Governmental uses	200	Calculated at the time of application
Library Reading rooms Stack areas	50 100	Calculated at the time of application
Uses not shown will be determined by the Public Works Director based on SBWRD estimated flows or other appropriate information.		

SECTION 5. REPEALER. This ordinance amends and repeals Title 11, Chapter 13, of the Municipal Code of Park City to the extent it is inconsistent with this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PARK CITY MUNICIPAL CORPORATION



 Mayor Bradley A. Olch

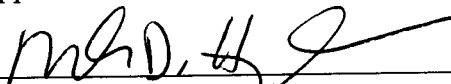
Attest:



 Janet M. Scott, City Recorder



Approved as to form:



 Mark D. Harrington, City Attorney



Ordinance No. 01-36

**AN ORDINANCE AUTHORIZING AN EXTENSION TO RECORD
THE WALK TO SLOPES PLAT AMENDMENT PHASE 2 TO COMBINE ALL OF
LOTS 7, 8, 38 AND A PORTION OF LOT 37 IN BLOCK 26 OF THE SNYDER'S
ADDITION TO THE PARK CITY SURVEY, INTO A SINGLE PLATTED LOT,
LOCATED AT
1243 EMPIRE AVENUE, PARK CITY, UTAH
APPROVED BY ORDINANCE NO. 00-42**

WHEREAS, the owner of all of Lots 7, 8, 38 and a portion of Lot 37, in Block 26 of the Snyder's Addition to Park City Survey, have petitioned the City Council for approval of a revision to the final plat and received approval of a final subdivision plat on June 29, 2000; and

WHEREAS, the owners of the property have petitioned the City Council for an extension to record the subdivision plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT

1. The proposed extension request was reviewed for compliance with the Land Management Code, Section 15-2.2 (HR-1 Zoning District), Chapter 15 (Subdivision regulations), and Section 15-1.11(c) (Plat approval). The property is part of the RC zone and the subdivision plat is consistent with the Park City General Plan, as amended.
2. The original approval expires on June 29, 2001. The applicant submitted an extension request on June 12, 2001.
3. The applicant stipulates to all conditions of approval.

SECTION 2. CONCLUSIONS OF LAW:

1. The plat as submitted, reviewed and approved by the City Council on August 9, 2001 complies with the Land Management Code, Sections 15-1-11(c) - Plat Approval and Section 15-2.2 (HR-1 Zoning District).
2. The plat as submitted and reviewed by the City Council on August 9, 2001, is consistent with the Park City General Plan, as amended.

3. A six month extension request is reasonable given the complexity of the project and extent of improvements, location in the historic district, and the condition requiring Historic District Commission approval of the driveway design prior to recording the plat.

SECTION 3. CONDITIONS OF APPROVAL:

1. The City Council conditions of approval for The Walk to Slopes plat amendment Phase II, approved by the Council on June 29, 2000, are in full force and effect.
2. All Standard Project Conditions shall apply.
3. Any changes or modifications affecting the original plat approval shall require Planning Commission review and approval and final approval by the City Council.
4. The new expiration date for the Walk to Slopes plat amendment Phase II is December 29, 2001.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 9th day of August, 2001.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 01-35

AN ORDINANCE APPROVING AN AMENDMENT TO THE SNYDER'S ADDITION TO THE PARK CITY PLAT TO SUBDIVIDE LOTS 15, 16, AND 17 OF BLOCK 18 INTO TWO LOTS LOCATED AT 1259 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owner, Richard Kerr, of the property known as 1259 Norfolk Avenue, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on July 18, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate three lots into two lots of record; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1).
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. The amendment will divide lots 15, 16 and 17 of Block 18 of the Snyder's Addition to the Park City Survey into two (2) platted lots.
4. The proposed lot size for lot 1 will be 3,300 square feet.
5. The proposed lot size for lot 2 will be 2,325 square feet.
6. The project is on Norfolk Avenue with dense residential uses.
7. Minimal construction staging area is available along Norfolk Avenue.
8. A two foot (2') non-exclusive easement was granted by the property owner for the running of water, sewer and utility lines to Norfolk Avenue on August 1, 1991.
9. The required side yard setback for both lots is three feet (3').
10. In its current location the historic home would have a one foot six inch (1' 6") side yard setback.
11. The applicant has agreed to move the home to a location where it will meet the setback requirements prior to recordation of the plat.
12. The plat amendment will potentially reduce the density of the property by one unit.
13. The Planning Commission forwarded a positive recommendation to the City Council on July 18, 2001.
14. The Historic District Commission is currently reviewing the applicant's proposed modifications to the existing historic home.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

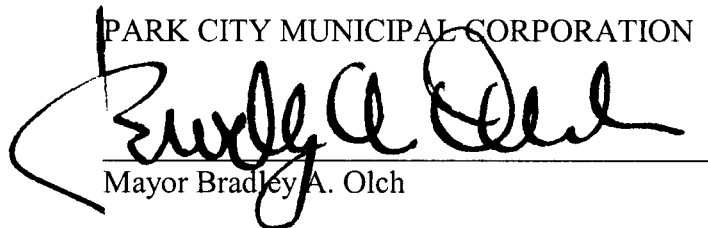
SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to recording the plat, the applicant must move the historic structure on lot 1 to a location where it meets all HR-1 setback requirements in the Land Management Code, if this requirement is not met, this approval and the plat will be void.
3. Prior to receipt of a certificate of occupancy, for a structure on either lot, the applicant must have recorded this subdivision plat.
4. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.
5. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of the historic structure renovation.
6. No further subdivision of the property is allowed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 9th day of August, 2001.

PARK CITY MUNICIPAL CORPORATION




Mayor Bradley A. Olch

Attest:

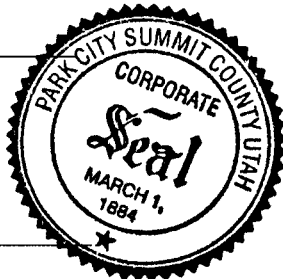


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

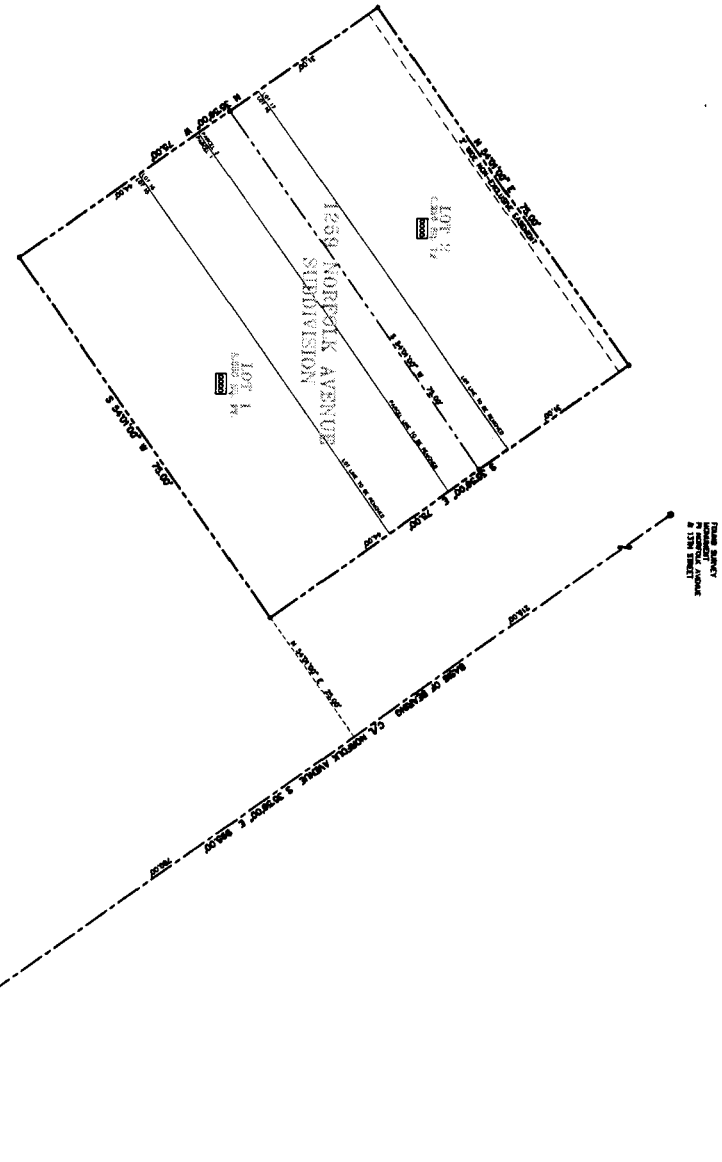




SURVEYOR'S CERTIFICATE

I, John Dominick, certify that I am a Registered Land Surveyor and that I had certified No. 134483, as provided by the State of Utah, and that I have personally examined the plat and verified under my direction in accordance with the laws of the State of Utah, that the plat is a true and correct copy of the original as shown to me by the owner and that the plat correctly represents the surveyed property.

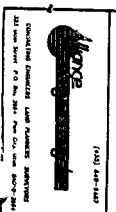
John Dominick
Date



1259 NORFOLK AVENUE SUBDIVISION

A RESUBDIVISION OF LOTS 15, 16, AND 17, BLOCK 18, SNYDER'S ADDITION
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
LOCATED IN SECTION 16,
PARK CITY, SUMMIT COUNTY, UTAH

- NOTES**
1. ALL DIMENSIONS GIVEN TO LOT 15, 16, AND 17 ARE TO BE MEASURED TO THE CENTERLINE OF THE 20' WIDE ALLEY.
 2. THE 20' WIDE ALLEY, LOCATED BETWEEN PARCELS 1 AND 2, IS A 20' WIDE ALLEY.
- LEGEND**
- FOUND SURVEY MONUMENT
 - PROPERTY CORNER TO BE SET



SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2001 A.D.
BY _____ S.E.I.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2001 A.D.
BY _____ CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON THIS _____ DAY OF _____ 2001 A.D.
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ 2001 A.D.
BY _____ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THE RECORD OF SURVEY WAS FILED IN THE OFFICE OF THE CLERK OF COUNTY COUNCIL THIS _____ DAY OF _____ 2001 A.D.
BY _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2001 A.D.
BY _____

BOUNDARY DESCRIPTION

PARCEL 1: ALL OF LOT 15 AND THE SOUTHERLY HALF OF LOT 18, WHICH PARALLELS AND IS BOUNDARY TO LOT 17, BLOCK 18, SNYDER'S ADDITION TO PARK CITY, AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

PARCEL 2: ALL OF LOT 17 AND THE NORTHERLY HALF OF LOT 18, WHICH PARALLELS AND IS BOUNDARY TO LOT 15, BLOCK 18, SNYDER'S ADDITION TO PARK CITY, AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned, Judith Jordan, Richard James, and Richard James have, our heirs, assigns, heirs, and assigns, hereby dedicated to the public use of the State of Utah, the 20-foot wide alley shown on this plat, and we hereby consent to the recording of this Subdivision Map in the Office of the County Clerk of Summit County, Utah.

ALSO, the undersigned, Judith Jordan, Richard James, and Richard James, hereby irrevocably and exclusively agree to the dedication to the public use of the State of Utah, the 20-foot wide alley shown on this plat, and we hereby consent to the recording of this Subdivision Map in the Office of the County Clerk of Summit County, Utah, in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set her hand this _____ day of _____ 2001.

Judith Jordan, Owner
Richard James, Owner

ACKNOWLEDGMENT

STATE of _____ COUNTY of _____

On this _____ day of _____, 2001, Judith Jordan, Richard James, and Richard James, the undersigned, have acknowledged to me the contents of the above described plat of land and that they have signed the same and have declared and consented to record the same and to dedicate the 20-foot wide alley to the public use of the State of Utah.

Notary Public

By _____ Notary Public



RECEIVED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED FOR RECORD THIS _____ DAY OF _____ 2001 A.D.

PARK CITY PLANNING DEPT.



Ordinance No. 01-34

AN ORDINANCE APPROVING THE FINAL RECORD OF SURVEY PLAT FOR THE FIRESIDE III CONDOMINIUMS, PARK CITY, UTAH

WHEREAS, the owners of the property known as Fireside III have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 11, 2001, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on June 11, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 9, 2001, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final Record of Survey plat for the Fireside III Condominiums;

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Fireside III Record of Survey is hereby amended as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located in the Estate (E) zoning district.
2. The proposed plat changes the type of ownership of this property to condominium ownership.
3. The project consists of 24 residential condominium units and associated common areas.
4. This project was originally approved as low to moderate income or employee housing.
5. All development fees were waived at the time of initial construction.
6. At the time of original approval a Regulatory Agreement between the Park City Housing Authority, the owners (Doilneys), and Zions Bank was recorded which assigned terms insuring low income housing.

7. At this time, the applicant has satisfied all terms of that Regulatory Agreement regarding occupancy restrictions, and has been released from its obligation.
8. Impact fees at the time of initial building permits were waived because this project was considered moderate income housing.
9. The Park City Attorney has determined at this time that all outstanding fees have been paid in full.
10. This application was reviewed by the Planning Commission on July 11, 2001, at which time a unanimous vote forwarded a recommendation to approve the application. A public hearing was held and no input was received.

Conclusions of Law:

1. There is good cause for this record of survey plat as the units can be sold separately.
2. The plat is consistent with the Park City Land Management Code and applicable State law regarding record of survey plats.
3. As conditioned, neither the public nor any person will be materially injured by the proposed record of survey plat.
4. Approval of the plat, subject to the conditions of approval, does not adversely affect the health, safety and welfare of the citizens of Park City.

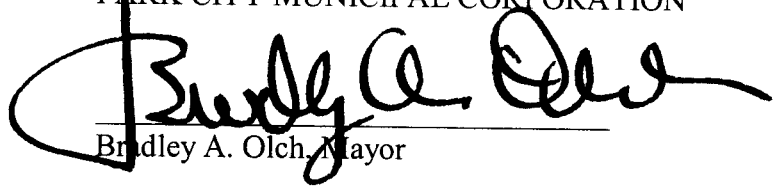
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. All standard project conditions will apply.
3. The applicant will record the final record of survey plat at the County within one year from the date of City Council approval. If recording has not occurred within the one year's time, this approval and the plat will be void.
4. A financial guarantee for the value of all public improvements and landscaping to be completed shall be provided to the City prior to plat recording. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
6. A public access easement shall be dedicated over Iron Horse Loop
7. Prior to conversion to private ownership of each individual unit, a building inspection must be scheduled to verify compliance with Municipal and Building Codes.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

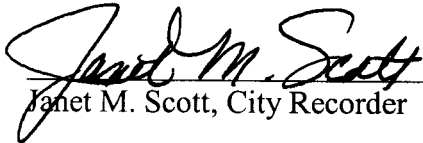
PASSED AND ADOPTED this 9th day of August, 2001.

PARK CITY MUNICIPAL CORPORATION

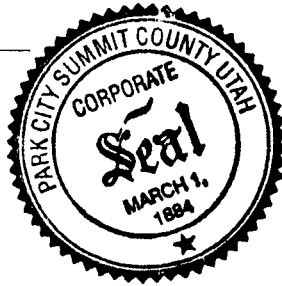


Bradley A. Olch, Mayor

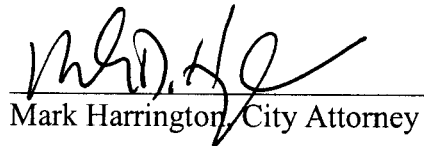
ATTEST:



Janet M. Scott, City Recorder



APPROVED AS TO FORM:

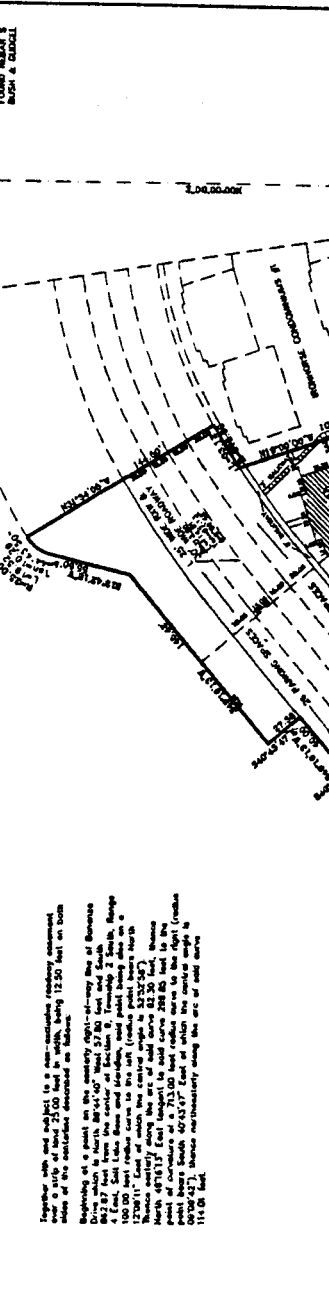


Mark Harrington, City Attorney

FIRESIDE III CONDOMINIUMS
A UTAH CONDOMINIUM PROJECT
 LOCATED IN SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST.

SURVEYOR'S CERTIFICATE
 I, John Ay Bellwink, do hereby certify that I am a Registered Civil Engineer and Licensed Surveyor and that I hold Certificate No. 140767, as prescribed under the provisions of the Utah Professional Land Surveying Act, Chapter 171, Section 2-201, of the Utah Code Annotated, 1993 Supplemental Edition of Surveying, and that I am duly qualified to perform the duties of a Surveyor. I have personally supervised and controlled the surveying work on this project. Supplemental Record of Survey No. 89-9-18 (1) of the Utah Code Annotated, as amended to date, requires a surveyor to be personally supervised and controlled by a Registered Civil Engineer and Licensed Surveyor and that the surveyor's name and address on the plat is correct.

DECLARANT'S CERTIFICATE
 We, the undersigned, are the owners of the land described in the plat hereto attached, and we hereby certify that the information herein is true and correct. We have read the plat and the provisions of the Utah Condominium Act, Chapter 171, Section 2-201, of the Utah Code Annotated, 1993 Supplemental Edition of Surveying, and we hereby certify that the information herein is true and correct. We have read the plat and the provisions of the Utah Condominium Act, Chapter 171, Section 2-201, of the Utah Code Annotated, 1993 Supplemental Edition of Surveying, and we hereby certify that the information herein is true and correct.



ACNOWLEDGMENT
 STATE OF UTAH
 COUNTY OF SALT LAKE
 I, _____, County Clerk, do hereby certify that the foregoing plat has been duly recorded in the office of the County Clerk of Salt Lake County, Utah, this _____ day of _____, 2001. My term of office expires on _____, 2001. I have read the foregoing plat and the provisions of the Utah Condominium Act, Chapter 171, Section 2-201, of the Utah Code Annotated, 1993 Supplemental Edition of Surveying, and I hereby certify that the information herein is true and correct.

DECLARATION OF CONDOMINIUM PROJECT
 The undersigned, being of lawful age, sane mind, and legal capacity, do hereby declare that the land described in the plat hereto attached is to be used for residential purposes. We have read the plat and the provisions of the Utah Condominium Act, Chapter 171, Section 2-201, of the Utah Code Annotated, 1993 Supplemental Edition of Surveying, and we hereby certify that the information herein is true and correct. We have read the plat and the provisions of the Utah Condominium Act, Chapter 171, Section 2-201, of the Utah Code Annotated, 1993 Supplemental Edition of Surveying, and we hereby certify that the information herein is true and correct.

RECEIVED
 MAY 31 2001
 PARK CITY PLANNING DEPT.

BOLLWINKEL ENGINEERING AND LAND SURVEYING CORPORATION
 P.O. BOX 221962, Salt Lake City, Utah 84152-1962
 Phone: (801) 465-0450, Fax: (801) 463-1408

PLANNING COMMISSION
 APPROVED FOR THE PLANNING COMMISSION
 DATE: _____

PLANNING COMMISSION MEMBER
 NAME: _____

APPROVAL AS TO FORM
 APPROVED AS TO FORM
 DATE: _____

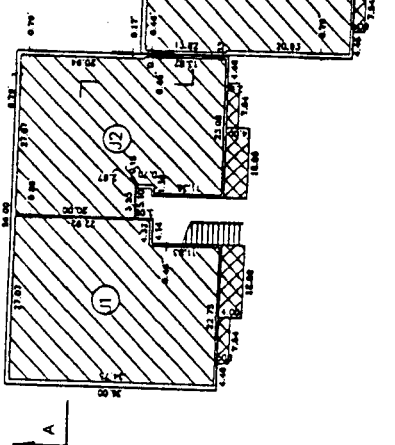
GENERAL OF UTILITY
 APPROVED AS TO UTILITY
 DATE: _____

PLANNING APPROVAL AND ADJUSTMENTS
 APPROVED AS TO PLANNING APPROVAL AND ADJUSTMENTS
 DATE: _____

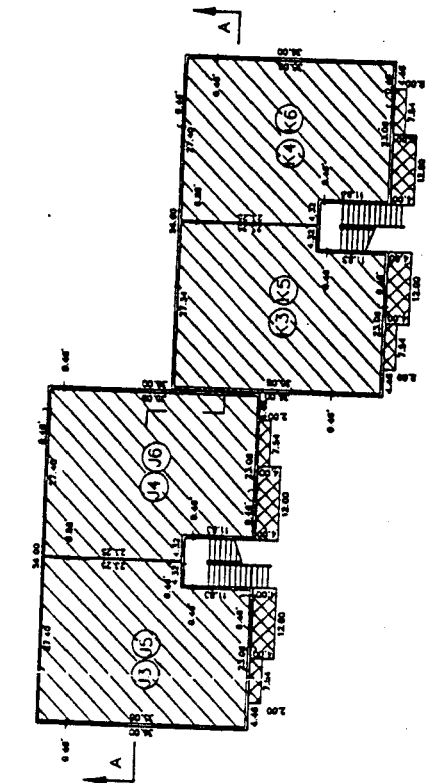
RECORDS SECTION
 RECORDED
 DATE: _____

PLANNING DEPARTMENT
 APPROVED
 DATE: _____

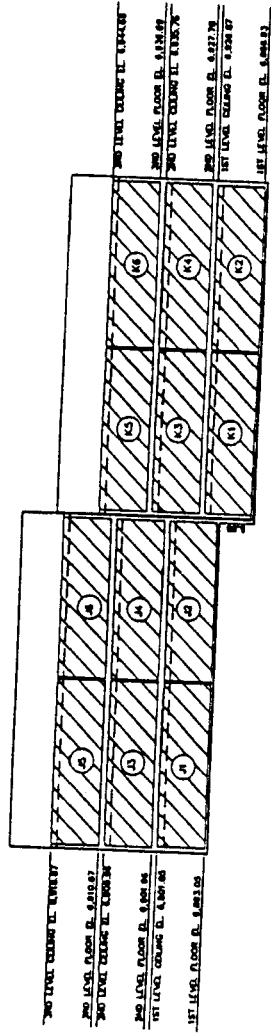
EXHIBIT A



1ST LEVEL FLOOR PLAN, BLDG J & K
SCALE 1"=10'



2ND & 3RD LEVEL FLOOR PLAN, BLDG J & K
SCALE 1"=10'



CROSS SECTION A-A
SCALE 1"=10'

OWNERSHIP LEGEND

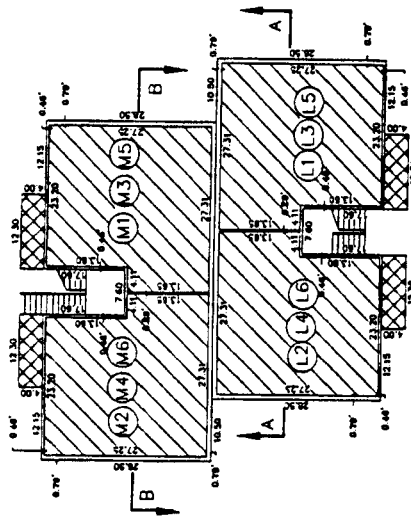
- INDICATES PRIVATE OWNERSHIP (UNIT/BOX)
- INDICATES LIMITED COMMON AREAS (CORNER MATCHES)
- INDICATES COMMON AREAS (STAIRS AS ILLUSTRATED ARE PART OF COMMON AREA)

FIRESIDE III CONDOMINIUMS
SHEET 2 OF 3 SHEETS

DATE LINES MADE A UNIT/BOX
 COUNTY OF BEAL, COUNTY OF BEAL, BEING RECORDED AND FILED AS THE INSTRUMENT NO. 2002000007
 DATE: _____ TIME: _____ PAGE: _____
 FILE # _____
 BEAL COUNTY RECORDER




NOTE: INCLUDES UNIT ROOM, STORAGE, HALL, WALKWAY, AND UNIT FLOOR, SHIPPED COLUARD TO 7 FEET
 NOTE: BUILDING SURFACES BEHIND ARE BEHIND MARK - BEING IN A.R. BE WEST TO SECTION ON SPUR ROAD, LOCATED WEST OF ANDERSON LUMBER CO. BLDG. 10-0000-00

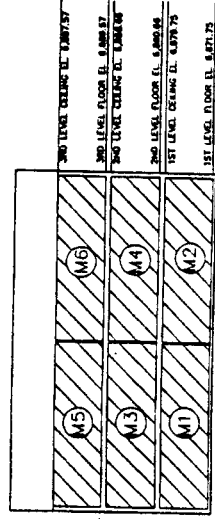
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 PARK CITY
 PLANNING DEPT.



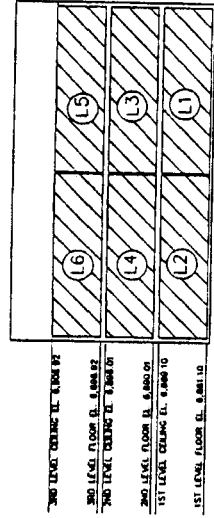
1ST, 2ND & 3RD LEVEL FLOOR PLAN, BLDG L & M
SCALE 1" = 10'

OWNERSHIP LEGEND

-  DENOTES PRIVATE OWNERSHIP (HATCHED)
-  DENOTES LEASED COMMON AREAS (CROSS HATCHED)
-  DENOTES COMMON AREAS (STAIRS AS ILLUSTRATED ARE PART OF COMMON AREA)



CROSS SECTION B-B
SCALE 1" = 10'



CROSS SECTION A-A
SCALE 1" = 10'

NOTE: DIMENSIONS SHOWN ARE WHICH MAKE - SPACE IN ALL BE NEXT TO DIMENSION ON DRAWING TO BE USED WEST OF ADDITION LUMBER CO. CITY - 4811-14

FIRESIDE II CONDOMINIUMS
SHEET 3 OF 3 SHEETS

STATE OF MICHIGAN
COUNTY OF WASHTENAW
DATE: _____ TIME: _____ PLACE: _____
FILE # _____
REGISTERED COURTY REPORTER

RECEIVED
MAY 31 2001
PARK CITY



Ordinance No. 01-33

AN ORDINANCE AMENDING ORDINANCE 00-54 FOR A ONE LOT SUBDIVISION PLAT FOR 1541 THAYNES CANYON DRIVE AND ACCEPTING A TRADE OF LANDS BETWEEN PARK CITY MUNICIPAL CORPORATION AND TIMBERLODGE L.L.C, PARK CITY, UTAH.

WHEREAS, the owners of the metes and bounds parcel and the City, as owners of the parcels exchanged, located at 1541 Thaynes Canyon Drive have petitioned the City Council for approval of a final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 23, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on August 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 12, 2000, the City Council held a public hearing and approved the proposed subdivision plat by Ordinance 00-54; and

WHEREAS, on August 9, 2001, the City Council reviewed minor corrections to the legal description of the proposed subdivision plat; and

WHEREAS, on August 9, 2001, the City Council accepted and exchanged deeds for the parcels in question, and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. Ordinance 00-54 is hereby amended to approve the Hotel Park City (formerly known as Shadow Creek) subdivision plat as shown in Exhibit A and the corresponding deeds in a form approved by the City Attorney subject to the following Findings of

Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The development parcels are located at 1541 Thaynes Canyon Drive and are currently zoned RC-MPD and ROS (current golf course).
2. One lot of record will be created incorporating the exchanged parcels.
3. The Planning Commission held a public hearing at their regular meeting of August 23, 2000 and forwarded a positive recommendation to the City Council.
4. The developer has agreed to pay the approximate \$150,000 cost of the relocation of the 18th green.
5. The City owns fiber optic conduit that crosses the City golf course and property proposed to be exchanged with the applicant.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

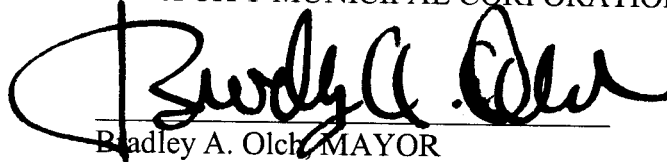
1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision plat and deeds for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The recordation of the subdivision plat is required prior to the issuance of building permits for the Cottages on the affected parcels.
3. The City will not release building permits for the individual cottage units until such time as the new permanent golf course operation facilities and associated parking are complete or there is a mutually agreed upon relocation of the temporary facilities with adequate available parking.
4. The applicant shall grant a ten foot (10') wide construction and maintenance easement for the fiber optic conduit line in perpetuity to the City. The easement shall be established at five feet (5') on either side of the fiber optic line.
5. Landscaping on the fiber optic easement shall be limited to lawn and small shrubbery except for approved roads, paths and other agreed-upon improvement.
6. Any new underground infrastructure crossing the fiber optic easement shall be coordinated with the City Engineer and Technical Services Department to ensure proper separation between utilities.

7. The property owner shall be responsible for any damage or losses to the fiber optic line and/or conduit caused by the property owner or its agent.
8. The applicant shall grant to the City an easement through the hotel building for two (2) four inch (4") conduits. The applicant shall install the conduits as part of the construction. The City agrees to cover the reasonable cost of the installation.
9. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
10. All other conditions of approval of the Golf Course Hotel MPD are in full force and effect.
11. Development parameters will not change from the current MPD.

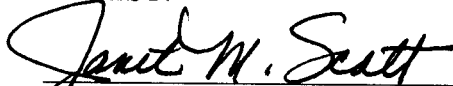
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 9th day of August, 2001 .


PARK CITY MUNICIPAL CORPORATION


Bradley A. Olch, MAYOR

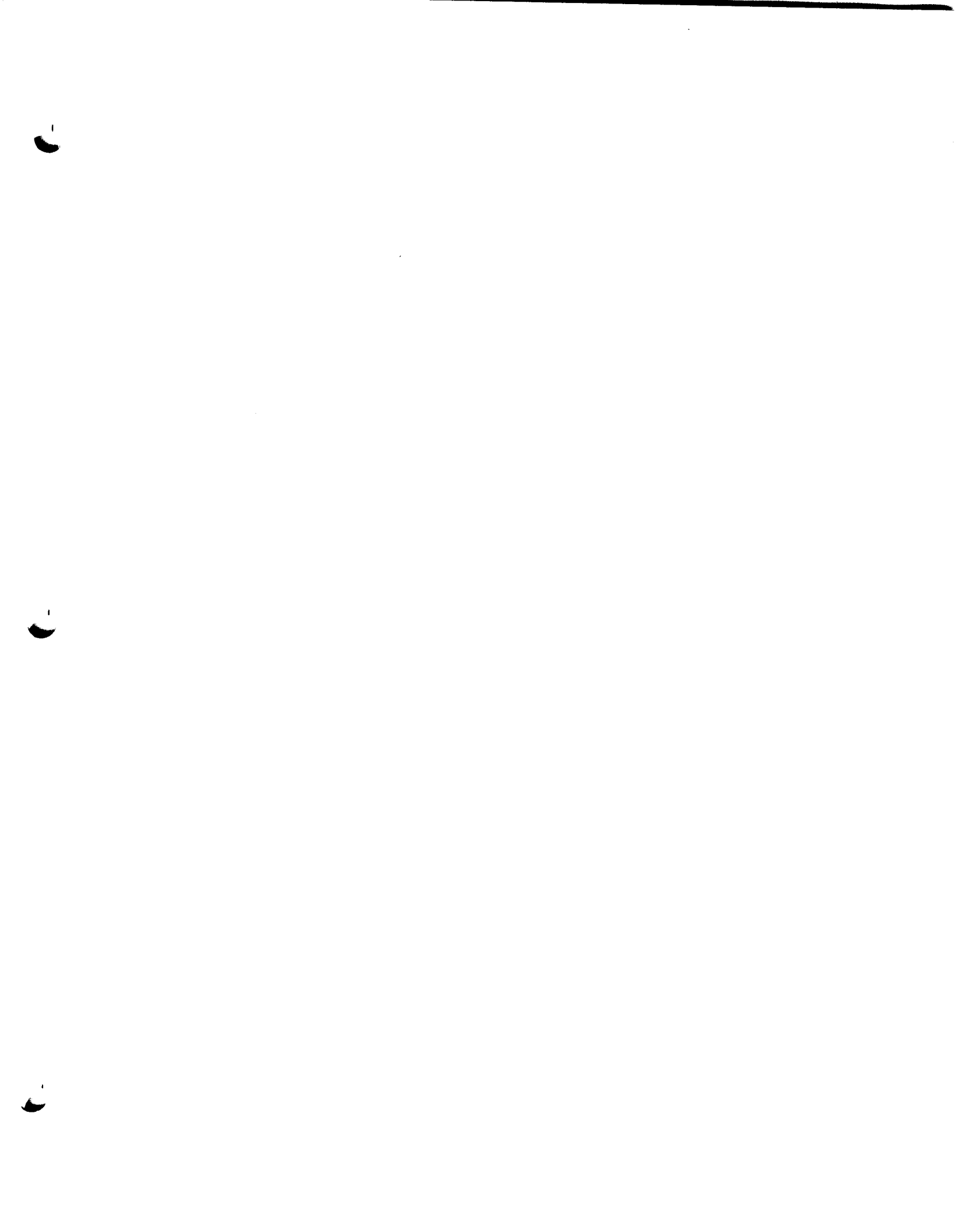
ATTEST:


Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark D. Harrington, City Attorney







Ordinance No. 01-32

AN ORDINANCE AMENDING TITLE 4, CHAPTERS 4, 5, AND 6 OF THE MUNICIPAL CODE OF PARK CITY REGULATING BEER AND LIQUOR LICENSING; CLARIFYING THE STANDARDS AND PROCEDURES FOR LICENSE APPROVALS AND AMENDING TERMINOLOGY FOR CONSISTENCY WITH STATE CODE

WHEREAS, the City last performed a comprehensive review and update of its beer and liquor licensing code on August 23, 1990 (Ordinance 90-23); and

WHEREAS, the state legislature has periodically updated state code provisions governing alcoholic beverages since 1990; and

WHEREAS, the City Council desires to update the City's beer and liquor licensing provisions to ensure consistency with the Alcoholic Beverage Control Act in both form and substance; and

WHEREAS, the City Council desires to amend the City's beer and liquor licensing provisions in order to reflect the current practice for reviewing such applications; and

WHEREAS, the City Council deems it to be in the best interest of the holders of beer and liquor licenses and the citizens of Park City to repeal our former ordinance and to enact new provisions to regulate and license liquor and beer sales and consumption within Park City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah that:

SECTION I. AMENDMENT. Pursuant to the findings above, which are hereby incorporated herein, Title 4, Chapters 4, 5 and 6 of the Municipal Code of Park City are hereby amended to read as follows:

CHAPTER 4 - BEER AND LIQUOR LICENSING

4-4-1. POLICY.

It is the policy of Park City Municipal Corporation to permit the operation of establishments serving beer and liquor in a manner consistent with the provisions of the ~~Alcohol~~ Alcoholic Beverage Control Act and related provisions of State Law. It is also the policy of Park City Municipal Corporation to place the primary responsibility for maintaining order and preventing

breaches of the peace within establishments selling and serving beer and liquor on the owners and managers of those establishments.

4- 4- 2. LICENSE APPLICATION.

Applications for new beer or liquor licenses shall be made in writing to the City Council or its designee upon a form furnished by the Finance Manager ~~Director~~ to be filed with the Finance Manager ~~Director~~. Each application shall state the name, address (street address and mailing address, if different ~~post office box number, if applicable~~), age and citizenship of the applicant; the ~~location~~ street address of the business; whether ~~he~~ the applicant has complied with requirements specified in the Alcoholic Beverage Control Act ~~Utah Liquor Control act~~; whether the applicant meets the licensee qualifications set out in Section 4-4-3 below; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the ~~Director~~ Finance Manager or City Council. If the applicant is a partnership, association or corporation, the same information shall be included for each partner, officer, or director thereof. The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true.

4- 4- 3. LICENSEE QUALIFICATIONS.

No beer or liquor license shall be granted to any retailer, partnership, corporation, or association if any partner, director, or officer does not meet the qualifications for a license as set forth in (A) through (D) below:

- (A) The licensee shall be over the age of twenty-one (21) years;
- (B) No beer or liquor license shall be granted to anyone who has been convicted of or plead guilty to a felony within two (2) years of the date of application, or of misdemeanors involving alcohol or controlled substances during a period of one (1) year prior to the application;
- (C) No beer or liquor license shall be granted to any person who has been convicted of any violation of any law or ordinance relating to the importation or sale of intoxicating liquors, or of keeping a gambling or disorderly establishment, or who has plead guilty to or forfeited his bail on a charge of having violated any such law or ordinance within the preceding three (3) years of the date of application; or
- (D) Any person whose beer or liquor license was revoked pursuant to this Title is ineligible to reapply for a beer or liquor license until the expiration of three (3) years from the date such license is revoked.
- ~~(E) No license shall be granted to any partnership, corporation, or association if any partner, director, or officer does not meet the qualifications for a license as set forth in (A) through (D), inclusive above.~~

4- 4- 4. APPLICATION FEE.

Each beer and liquor license application shall be accompanied by the regulatory license fee required by § 4-5-2 or ~~§ 4-4-10~~ § 4-6-6. If the license is denied, 50% of the license fee will be retained to pay the costs of processing the application.

4- 4- 5. REFERRAL OF LICENSE APPLICATION TO CHIEF OF POLICE.

All applications filed in accordance with ~~the provisions of~~ this Chapter shall be referred to the Chief of Police for inspection and report. The Chief of Police shall, within ten days after receiving such application, ~~make report~~ conduct an investigation of any criminal violations or charges against the applicant, or partners, officers, or director if the application is not an individual; the nature and kind of business to be conducted at such place by the applicant; the nature and kind of entertainment, if any, at such place; and the proximity of such premises to any school or church. The Chief of Police shall, upon completion of such investigation, submit his/her ~~also add to such report~~ his recommendation as to whether the license ~~or not the application~~ should be granted. In making his/her recommendation, the Chief of Police may refer to the character of other licensed premises owned in full or in part by the applicant. If recommending denial of a beer or liquor license application, the Chief of Police shall submit a detailed report of his/her investigation, record the recommendation on the application, and sign the application. If recommending approval of a beer or liquor license application, the Chief of Police shall record such recommendation on the application, sign the application, and may, at his/her sole discretion, submit a detailed report of the investigation.

4- 4- 6. REFERRAL OF APPLICATION TO BUILDING DEPARTMENT AND PLANNING DEPARTMENT.

The ~~Chief of Police may~~ Finance Manager shall refer the application to the Building and Planning Departments for review by the Building Official to ensure compliance with the applicable building codes, determination of the maximum number of occupants the premises may safely accommodate at one time given the location and number of emergency exits, and compliance with the Park City Land Management Code ~~and (Title 13 of this Code).~~

4- 4- 7. REFERRAL OF LICENSE APPLICATION TO HEALTH DEPARTMENT.

~~All~~ The Building Department may refer any application filed in accordance with this Chapter ~~may be referred~~ to the County Health Department which may inspect all premises to be licensed to assure ~~sanitary~~ compliance with ~~the~~ all laws and regulations of the State of Utah and the ordinances, rules, and regulations of Park City ~~in~~ governing the sanitary preparation, storage, distribution, or sale of beer and food ~~fulfills all such sanitary requirements.~~

4- 4- 8. PERIODIC INSPECTION OF PREMISES BY CHIEF OF POLICE.

The Chief of Police or his/her designee shall be permitted to have access to all premises licensed or applying for license under this Chapter, and ~~shall~~ may make periodic inspections of said premises and may report his/her findings to the City Council.

4- 4- 9. GROUNDS FOR LICENSE DENIAL.

The City Council or its designee may deny a beer or liquor license if:

- (A) The license application does not contain all of the information required by Section 4-4-2;
- (B) The application fee is not paid;
- (C) The premises to be licensed do not comply with the applicable zoning regulations and building codes in force at the time of application;
- (D) The applicant does not meet the licensee qualifications set out in Section 4-4-3;
- (E) The applicant intentionally misrepresented or concealed information required by Section 4-4-2 in an application for the license;
- (F) The proposed premises do not meet all applicable health and building codes, and the applicant does not provide reasonable assurances that the premises will be brought into compliance upon approval of the license;
- (G) The applicant holds other licenses under this Title, which are not in good standing, or on which licensed premises the provisions of this Code and state laws are frequently violated; or
- (H) Applicant does not hold a current Park City business license.

4- 4-10. ISSUANCE OF LICENSE CERTIFICATE.

All beer and liquor license certificates shall be signed by the City Manager and Finance Manager ~~Mayor~~, attested by the City Recorder under the seal of the City, and contain the following information:

- (A) The street address of the licensed premises and mailing address if different;
- (B) A detailed description of the portion of the building designated as the licensed premises;
- (C) The maximum occupancy of the licensed premises;
- (D) The beer or liquor license classification;

- (E) The name of the person to whom such certificate has been issued and the name of a local contact person;
- (F) The name of the business;
- (G) The term of the license, including ~~with~~ commencement and expiration dates; and
- (H) That the license is subject to revocation by the City for violation of this Title or the ~~Alcohol~~ Alcoholic Beverage Control Act.

4- 4-11. CITY LICENSE PERIOD.

The license certificate shall be valid through December 31 of the year of issuance, unless revoked or suspended under this Title or unless the licensee's required State license is suspended, revoked or denied.

4- 4-12. CITY RENEWAL PROCEDURE.

On or before December 1 of each year, the City shall send via first class mail, notice to each beer, restaurant liquor or private club liquor licensee within the City that the regulatory license fee required by Section 4-5-2 or 4-6-6 § ~~4-4-2~~ is due by December 31st. Upon receipt of the regulatory license fee and finding that renewal is proper pursuant to the criteria set forth herein at Subsections (A) through (E), the City Council or its designee shall issue a license certificate valid through December 31st of the next licensing year.

Upon notification by the Police Department, the licensee must close the licensed premises on the expiration date of the license and keep the premises closed for the consumption or storage of beer or liquor until the date his renewal license is issued by the City Council or its designee ~~or pending a hearing before the City Council~~. In the absence of such notice, pending action on license renewals, the license is deemed extended provided a renewal application was filed on or before December 31 of the year in which the prior license was issued. ~~The Director and Chief of Police~~ Finance Manager shall prepare a list or lists of all licenses to be renewed, and the City Council or its designee may approve all renewals on that list or lists.

Licenses shall be renewed unless the Council or its designee shall find that:

- (A) The licensee has attempted to transfer or assign the license to others in violation of this Title;
- (B) The licensee no longer holds the qualifications required of licensee under the provisions of Section 4-4-3 of this Title;
- (C) The premises have been remodeled or changed in a manner that eliminates required exits,

creates closed booths or stalls; or

(D) The licensee or his employees or agents have been convicted of or plead guilty to more than five (5) violations of this Title or state liquor control statutes relative to the conduct of the licensed premises in a single calendar year preceding the renewal, not including violation by patrons; or :

(E) Licensee does not hold a current valid Park City business license or has not been exempted therefrom under Chapter 2 of this Title.

In the event the Council or its designee finds any of the foregoing conditions (Aa) through (Ee) to exist with respect to a license renewal application, the Council or its designee may waive the violations and grant a renewal license, grant a probationary renewal for a fixed period of time less than one year, or deny the application for renewal. When deemed appropriate, the Council may hold hearings on specific license renewal applications prior to granting the renewal license.

4- 4-13. LICENSES NON-TRANSFERABLE.

No license issued under this Chapter is transferable from the original licensee to any other person, partnership, corporation or other entity. Each year, as a part of the renewal process, the licensee shall indicate the board of directors, or all partners, and if there are any changes from the previous year, the license shall be reviewed as a new application to the extent of the changes in ownership. ~~full to separate legal entity or individual is deemed a surrender of the license, and shall have no effect.~~

4- 4-14. TRAINING REQUIREMENTS FOR THE EMPLOYEES OF BEER AND LIQUOR LICENSE PREMISES.

No person shall be granted a new beer or liquor license pursuant to this Title, unless that person shall show by certificate(s) granted by the Utah Department of Alcoholic Beverage Control or by adequate proof of the existence of such certificate(s), that each employee of the business engaging in the serving, selling or furnishing of such alcohol on the premises has completed the Alcohol Training and Education Seminar, as required in U.C.A. § 62A-8-403103.5.

Every new employee of a licensee who is required to complete this seminar shall complete the seminar within six months of commencing employment. Violation of this Section ~~section~~ will result in revocation of the license granted unless the licensee provides to the Finance Manager proof of compliance ~~with this Chapter is completed~~ within two months of the time that licensee is first notified that such violation occurred.

4- 4-15. EMERGENCY SUSPENSIONS BY POLICE.

Licenses issued under this Chapter may be suspended by the Chief of Police or his/her designee

without prior hearing ~~when conditions existing at the licensed premises are such that~~ provided that there is if probable cause to believe that violations of this Chapter or state law are occurring, and the conditions are such that the public health and safety are endangered. ~~provided that the~~ Such temporary suspension shall occur only if the management or the licensee fails to remedy the situation within fifteen (15) minutes of notification by the Chief of Police or his/her designee that a suspension will occur if the conditions complained of are not remedied in a manner that eliminates the immediate danger to public health and safety. No emergency suspension by the Chief of Police or his/her designee shall extend beyond the ordinary close of business on the day on which the suspension was given.

4- 4-16. OFFENSES OF LICENSEE.

It shall be unlawful for the holder of any license issued under this Chapter or any employee or agent of the holder to cause or permit to be caused on his or her premise any of the following acts:

(A) **SALE DURING REVOCATIONS.** To sell any beer or liquor during any period of a license revocation or suspension.

(B) **FAILURE TO DISPLAY LICENSE.** To fail to have the license issued under this Chapter on display in the licensed premises.

(C) **EXCESS HOURS OF OPERATION.** Beer may not be sold or offered for sale by any On-premise Beer retailer after 1:00 a.m. and before 10:00 a.m. Liquor may not be sold or offered for sale at a duly licensed restaurant during the following days or hours: (1) on the day of any regular general election, regular primary election, or statewide special election until after the polls are closed; and (2) on any other day after 12 midnight and before 12 noon. ~~Liquor may not be sold or offered for sale at a restaurant during the following days or hours: state or national election days until after the polls are closed, Saturday, Sunday and any state or federal legal holiday after 12:00 midnight and before 12:00 noon on any other day after 12:00 midnight and before 1:00 p.m.~~ Liquor may not be sold or offered for sale at a private club during the following days or hours: (1) on the day of any regular general election, regular primary election, or statewide special election until after the polls are closed; (2) on Sunday and any state or federal legal holiday after 12 midnight and before 12 noon; and (3) all other days after 1:00 AM and before 10:00 AM. Holders of Off-Premise beer licenses may sell beer for consumption off the premises at any time of day.

(D) **MINORS ON THE PREMISES.** To permit a minor to be in or enter into a licensed premises which holds the an On-Premise tavern beer license.

There shall be no restriction on the admission of minors being in or remaining in any of the following licensed premises:

- (1) Off-Premise Beer License
- (2) On-Premise Beer License (except taverns)
- (3) Restaurant Liquor Licenses
- (4) Temporary Licenses of these classifications

It shall not be a violation of this Chapter for minors to be in premises licensed as private clubs, provided, however, that minors must be accompanied by a parent or guardian, and shall be only within an area of the licensed premises designated as food service area. It shall be unlawful for the holder of any private club license to permit minors to be within the licensed premises when not accompanied by a parent or guardian, or to permit minors to remain in or about the liquor service portion of the premises. Licensees may prohibit minors from entering the premises at all at their discretion by posting a sign at the entrance that states that minors are not permitted inside.

Except as otherwise provided herein, it shall not be a violation of this Chapter to permit minors to work in any licensed premises, regardless of license classification, provided that minors shall not work in any capacity that involves handling, selling, or serving alcoholic beverages. It shall be unlawful to permit minor employees to sell, serve, or handle alcoholic beverages. Minors may not work on or otherwise be on the premises of an On-Premise Retail Tavern.

(E) **SALE OR SERVICE TO MINORS.** To furnish or sell, directly or indirectly, through its agents or employees, an alcoholic beverage to persons under the age of twenty-one years, or to permit patrons within the licensed premises to provide alcoholic beverages to persons under the age of twenty-one years on the licensed premises.

(F) **NUISANCE.** To keep or permit a nuisance on the premises as defined by Section 4-1-1 of this Title.

(G) **UNTAXED LIQUOR.** To possess or sell on the licensed premises any liquor which does not bear proper stamps and labels indicating it was purchased from a Utah State Liquor Store or a package agency of that store, except as provided by state law.

(H) **ADULTERATED ALCOHOLIC BEVERAGES.** To possess or sell on the licensed premises any adulterated, impure, diluted, or misbranded liquor.

(I) **FAILURE TO CONTROL NOISE.** To permit or provide either live or recorded amplified music without first having closed all exterior doors and windows of the licensed premises to control noise. Doors may be opened to provide ingress and egress, but shall not be blocked in the open position to provide ventilation. Doors shall be equipped with automatic closing devices to keep them in the closed position except to permit ingress and egress of patrons.

(J) **OUTDOOR SPEAKERS.** To permit or cause to exist any loud speaker or sound

amplification equipment on any outdoor balcony deck, patio, or garden associated with the licensed premises other than speaker systems or sound amplification equipment in conjunction with approved outdoor dining.

(K) **EXCESS HOURS OUTSIDE**. To sell or service alcoholic beverages or to permit patrons to remain on any outdoor balcony, deck, patio, or garden associated with the licensed premises after the hour of 10 p.m.

(L) **GAMBLING**. To permit, cause, participate, or allow any gambling or gaming, as defined by the laws of the state of Utah within any licensed premises.

(M) **CONTROLLED SUBSTANCES**. To permit or tolerate, or participate in the use, sale, or possession of any unlawful controlled substance within the licensed premises.

(N) **OVERLOADING**. To permit or tolerate the licensed premises to be occupied by more person than the assigned occupancy load for the building assigned by the Building Official under the Uniform Building Code.

(O) **LICENSE VIOLATION**. To permit the consumption of alcohol on any premises licensed with an Off-Premise beer license, or to open any container for consumption on the premises by the holder of any Off-Premise beer license or his agents or employees; or to permit, cause, or tolerate on the licensed premises the sale, use, consumption, or possession of alcoholic beverages in a manner that is in violation of the limits imposed by the license granted.

(P) **SERVICE OF INTOXICATED PERSONS**. To sell or serve alcoholic beverages to a person who is obviously intoxicated, or to permit an obviously intoxicated person to remain in or about the premises.

(Q) **OPERATING WITHOUT REQUIRED STATE LICENSES**. To continue to sell, serve or store alcoholic beverages on a licensed premise after the state license required under the Alcoholic Beverage Control Act U.C.A. § 34A-1-101, et seq., has been denied, suspended or revoked.

4- 4-17. OFFENSES BY PATRONS.

It shall be unlawful for any person within a licensed premise under this Chapter, whether as a guest, patron, invitee, supplier, or in any other capacity other than as an employee of the license holder or as the licensee to commit or perform any of the following within the licensed premises:

(A) To enter or remain in any licensed premises holding an On-Premise Tavern License while under the age of twenty-one years.

(B) To enter or remain in any premises licensed as a Private Club ~~private club~~ while under the

age of twenty-one years, except when accompanied by a parent or guardian or as a non-alcoholic handling employee of the licensee.

(C) To be in or around the portion of any licensed premise holding a Private Club ~~private club~~ license which is designated or functioning as a liquor selling portion of the premises, rather than the area primarily designed and intended for the sale of food when under the age of twenty-one years.

(D) To furnish directly or indirectly alcoholic beverages to any persons under the age of twenty-one years, or to possess or consume alcoholic beverages while under the age of twenty-one years.

(E) To enter or remain about a licensed Private Club ~~private club~~ without being a member of that club, a guest member of that club, or an invitee of a member of that licensed club.

(F) To enter ~~to~~ or remain in any licensed premises after being ordered to leave the premises by the licensee or the agent or employees of the licensee.

(G) To enter or remain in any licensed premises while intoxicated.

4- 4-18. CITATIONS/VIOLATIONS.

The commission of any act or offense listed in Section 4-4-16 or 4-4-17 ~~§ 4-4-15 or 4-4-16~~ above shall be a Class "B" misdemeanor, except violations of Section 4-4-16(E) and (Q) ~~Section 4-4-15(c) and (q)~~ shall be Class A misdemeanors. Both the license holder or his employee or agent, and the patron of the licensed premises may be charged from the same incident, as the offenses of the licensee and the offenses of the patron are separate offenses. The licensee shall be civilly responsible for all violations permitted or caused by the agent or employee of the licensee and the criminal acts of the employees or agents committed on the premises in the course of employment shall be deemed the acts of the licensee for purposes of revocation, suspension, or non-renewal by the City.

4- 4-19. WHOLESALER AND RETAILER NOT TO HAVE COMMON INTERESTS.

It shall be unlawful for any dealer, brewer or wholesaler to either directly or indirectly supply, give or pay for any furniture, furnishings or fixtures of a retailer, and it shall be unlawful for any dealer or brewer to advance funds, money or pay for any license of a retailer or to be financially interested either directly or indirectly in the conduct, operation, or ownership of any premises with a beer license, "private club" liquor license or "seasonal" license for any of these license classes.

4- 4-20. BUILDING REQUIREMENTS.

It shall be unlawful for any person who obtains a liquor or beer license after the adoption of this Chapter to own, operate or manage any premises licensed for the retail sale or consumption of beer or liquor without complying with the following lighting and view requirements:

(A) During business hours, adequate lighting shall be maintained in all areas of the licensed premises to allow safe movement within the licensed premises, visibility for business activity, and visibility of all areas of the licensed premises from a point within the licensed premises at or near the main public entrance.

(B) A clear, unobstructed view of all areas of the licensed premises shall be available at all times from a point within the licensed premises at or near the main entrance.

Persons who have obtained beer or liquor licenses from the City before adoption of this Chapter and who annually renew their licenses with the City shall not be required to comply with the requirements of this section.

4- 4-21. CLOSED STALLS AND BOOTHS PROHIBITED.

It shall be unlawful for any closed booths or stalls to exist on premises licensed for the retail sale or consumption of beer or liquor. This provision shall not prevent the use and operation of private dining or conference rooms as a part of the licensed premises.

4- 4-22. OCCUPANCY LOAD.

On any premises licensed after the date of this Chapter, the Building Official shall determine the maximum safe occupancy load of the building, as provided in the Uniform Building Code, and it shall be unlawful and a Class "B" misdemeanor for any licensee with an assigned occupancy load to permit more than that number of persons to be within the licensed premises. Once an occupancy limit is assigned, the limit shall be posted with the license in a prominent place within the licensed premises. This provision shall not apply to premises licensed as Off-Premise beer licenses.

4- 4-23. APPLICABILITY.

The provisions of this Chapter shall apply to all licensed premises and all licensees who are issued either a new license or a renewal of an existing license after the date of this Chapter. Amendments to this Chapter may be made from time to time, and all licenses or renewals issued hereunder are subject to amendments as they become effective, except that amendments which address structural requirements of any licensed premises existing at the time of the amendment shall not apply to existing structures until such time as the license is transferred, forfeited, or allowed to expire. As existing structures are sold, remodeled, or relicensed (but not on renewal of existing licenses), however, full compliance will be required prior to the issuance of a new license, new class of license, or license to a new licensee at that location.

CHAPTER 5 - BEER LICENSES DESCRIBED.

4- 5- 1. BEER LICENSE REQUIRED.

It shall be unlawful for any person to engage in the business of the sale of beer at retail or wholesale within the City without first procuring a beer license as required by this Chapter. In addition to the City license, a State beer license shall be required for all sales of beer for on-premise consumption or for purchase or sale of beer in a container exceeding two liters. A separate license shall be required for each place of retail sale, for each separate premise, except that separate licenses are not required for each retail beer dispensing outlet located in the same building or on the same resort premise owned or operated by the same applicant. No beer license may be transferred, assigned or subleased in any manner. Licenses are invalidated by transfer or attempted transfer. All licensees shall comply with the provisions of the ~~Alcohol~~ Alcoholic Beverage Control Act, and this Title.

4- 5- 2. REGULATORY BEER LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all beer licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the City Council or its designee for Special Event Temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4- 5- 3. RETAIL BEER LICENSE CATEGORIES.

Retail beer licenses issued under the provisions of this Chapter shall be classified and carry the privileges and responsibilities hereinafter set forth in this Chapter:

(A) **OFF-PREMISE BEER LICENSE.** An off-premise retail license shall entitle the licensee to sell bottled or canned beer on the licensed premises in accordance with the ~~Alcohol~~ Alcoholic Beverage Control Act and the ordinances of Park City.

- (1) Beer may not be sold, provided, or possessed for off-premise consumption in containers larger than 2 liters.
- (2) A minor may not sell beer for off-premises consumption except under the supervision of a person 21 years of age or older who is on the premises.
- (3) If malt beverages or malt liquor is sold, the licensee shall display a sign at the location on the premises where malt liquor or malt beverages is sold stating "Malt beverages and malt liquors are alcoholic beverages". A violation of this subsection is an infraction.

(4) No consumption of beer or alcoholic beverage shall be permitted on the premises of an off-premise licensee.

(B) **ON-PREMISE RETAIL BEER LICENSE**. As of January 1, 1991, any establishment desiring to sell beer at retail for on-premise consumption shall first obtain a Park City on-premise retail beer license and a State on-premise retail beer license as required under U.C.A. §32A-10-201. An on-premise retail beer license shall entitle the licensee to sell beer at retail in bottles, cans or at draft for consumption on the premises.

All State-issued on-premise beer retail licenses expire on the ~~1st~~ last day of February of each year. Accordingly applicants must submit a renewal application to the State Department of Alcoholic Beverage Control no later than January 31st of each year. City beer licenses shall expire on December 31st of each year and the licensee must submit a renewal application to the City prior to ~~January~~ December 15th. All licensees must notify the City immediately if the State license is denied or revoked for any reason. On-premise licensees must provide the City with proof of State licensure by March 1 of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder.

On-premise beer retail license holders may sell beer in open containers, in any size not exceeding two liters, and on draft. Liquor may not be stored or sold on the premises of any on-premise retail beer licensee. Beer sold in sealed containers smaller than two liters by the On-premise Licensee may be removed from the premises.

There are two types of licenses to be issued under this Section:

(1) **ON-PREMISE RETAIL TAVERN LICENSE**. An on-premise retail tavern license shall be required for all premises where the primary or main business is that of selling beer for consumption on the licensed premises. An on-premise retail tavern license shall entitle the licensee to sell bottled, canned, or draft beer for consumption on the licensed premises. No person under the age of twenty-one year shall be employed or otherwise be on the premises licensed as an on-premise retail tavern ~~sell or serve beer under this license~~.

(2) **ON-PREMISE RETAIL BEER LICENSE - ALL OTHERS**. An On-Premise Retail Beer License - Restaurant shall entitle the licensee to sell beer at retail in bottles, cans or draft for consumption on the premises in conjunction with restaurant food service. No person under the age of twenty-one years shall serve or sell beer under this license.

(C) **SPECIAL EVENT TEMPORARY BEER LICENSES**. A special event temporary beer license shall carry the privileges of either an on-premise or off-premise license. No person under the age of 21 shall sell or serve beer under this license. Persons holding a special event temporary beer license issued by Park City are not required to have a State on-premise beer license.

(1) **SMALL-SCALE SPECIAL EVENT TEMPORARY BEER LICENSE.** A small-scale special event temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed 72 consecutive hours in conjunction with a Master Festival, Special Event, or other convention, civic or community event. No person, individual or association shall be licensed for more than four (4) small-scale special event temporary beer licenses in any one calendar year, unless otherwise approved by the City Council.

(2) **LARGE-SCALE SPECIAL EVENT TEMPORARY BEER LICENSE.** A large-scale special event temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed thirty (30) consecutive days. Large-scale special event temporary beer licenses shall be issued only in conjunction with a duly licensed Master Festival having a continuous duration of four (4) days or greater, and shall be limited in duration to match the term of the Master Festival license. No person, individual, or association shall be licensed for more than one (1) large-scale special event temporary beer licenses in any one calendar year.

(D) **PRIVATE CLUB BEER LICENSE.** A private club beer license shall carry the privileges of a tavern beer license provided that the sale of beer shall be to club members, guest members and their visitors only and each license shall be issued to bona fide clubs which are organized, incorporated, bonded, regulated, and operated in compliance with the provisions of the Utah Nonprofit Corporation and Cooperative Association Act, the Alcoholic Beverage Control Act, and the Utah Alcoholic Beverage Control Commission Rules and Regulations. ~~Utah Non-profit Corporation and Cooperation Act in U.C.A. §32A-5-101, as amended, the Utah Liquor Control Act, and the Liquor Control Commission Rules and Regulations.~~

CHAPTER 6 - LIQUOR LICENSE DESCRIBED

4-6-1. LIQUOR LICENSE REQUIRED.

No person shall operate a place of business which allows customers, members, guests, visitors, or other persons to possess, consume, or store liquor on the premises of the place of business without a liquor license issued by the City. A separate license shall be required for each place of business. No liquor license may be transferred, assigned, or subleased in any manner. All licensees shall comply with the provisions of the ~~Alcohol~~ Alcoholic Beverage Control Act, Utah ~~Liquor Control~~ Alcoholic Beverage Control Commission Rules and Regulations, and this Chapter.

~~4-6-2. SET-UP LIQUOR LICENSE.~~

~~A "set-up" liquor license shall entitle the licensee to provide set-ups to patrons who supply their own liquor for the consumption of liquor on the premises in accordance with the Utah Liquor Control Act and Utah Liquor Alcoholic Beverage Control Act, and the Utah Alcoholic Beverage Control Commission Rules and Regulations and the ordinances of Park City. A "set-up" liquor license does not permit the operation of a State liquor store or the storage of liquor on the licensed premises. No person under the age of twenty-one years shall serve or sell liquor. All set-up liquor licenses shall expire on December 31, 1990, and no set-up license shall issue after that date.~~

4-6-2 3. RESTAURANT LIQUOR LICENSE.

A restaurant liquor license shall only be issued to persons licensed by the ~~State Liquor~~ Utah Alcoholic Beverage Control Commission under U.C.A. §32A-4-101 to 107, as amended, ~~et seq.~~ A "restaurant" liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premise. Only bona fide restaurants shall be entitled to a restaurant liquor license. Patrons must intend to order food which is prepared, sold, and served on the premises, in accordance with the Alcoholic Beverage Control Act and Utah Alcoholic Beverage Control ~~Liquor~~ Commission Rules and Regulations and the ordinances of Park City. Liquor is to be provided only in conjunction with a meal, and it shall be unlawful to serve or sell liquor except with a meal. No person under the age of twenty-one years shall serve or sell liquor under this license. All liquor must be purchased in the restaurant from a server designated and trained by the licensee. Any alcoholic beverages under this license must be consumed at the patron or guest's table. A restaurant liquor license shall not entitle the storage of liquor on the licensed premises, except as designated on the application.

~~Beginning July 1, 1991,~~ a A restaurant liquor license holder may not sell or provide any primary liquor except in one ounce quantities dispensed through a calibrated metered dispensing system approved by the Commission.

All holders of restaurant liquor licenses shall maintain records which shall disclose the gross sales of liquor and the gross sales of food served and any other items sold for consumption on or off the premises. Such sales shall be shown separately. Each licensee shall retain all invoices, vouchers, sales slips, receipts, and other records of beer and other commodity purchases from all suppliers. Such records shall be available for inspection and audit by the Director or his or her designee at any time following the close of the semi-annual period and for one year thereafter, or as required by State regulations. Failure to properly maintain such records for such inspection and audit shall be cause for revocation of the restaurant liquor license.

Each restaurant liquor licensee shall maintain at least seventy percent (70%) of its total restaurant business from the sale of food, which does not include mix for alcoholic beverages or service charges. If any audit or inspection discloses that the sales of food on the licensed premises are below seventy percent (70%) (~~seventy percent~~) of the gross dollar volume of business for any semi-annual period, the restaurant liquor license shall immediately be suspended and shall not be reinstated until the licensee is able to prove to the satisfaction of the City Council or its designee that in the future, the sales of food on the licensed premises will not fall below seventy percent (70%) of the gross dollar volume of business.

~~All licensees holding a restaurant liquor license as of the date of this Ordinance may continue to operate under said license unless revoked or suspended under one of the provisions herein until December 31, 1990.~~ All Park City issued restaurant liquor licenses shall expire on December 31st of each year thereafter. All State-issued restaurant liquor licenses expire on October 31 of each year. All licensees must notify the City immediately if the State liquor license is denied, suspended or revoked for any reason. Restaurant liquor license applicants must provide the City with proof of State licensure by December 1 of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder. All renewal applications must attach a copy of a valid State license.

4-6-3 4. PRIVATE CLUB LIQUOR LICENSE.

A private club liquor license shall entitle the licensee to serve, sell, and store liquor, pursuant to Utah Alcoholic Beverage Control ~~Liquor~~ Commission Rules and Regulations, and to ordinances of Park City. No person under the age of twenty-one (21) years shall serve or sell liquor under this license. All sales under a private club liquor license shall be to bona fide members of the licensed club, guest members or their visitors accompanied by members or guest members, and not to the general public. ~~All licensees holding a private club liquor license as of the date of this Chapter may continue to operate under said license unless revoked or suspended under one of the provisions herein until December 31, 1990.~~ All Park City ~~Private Club~~ private club liquor licenses shall expire December 31st of each year ~~thereafter~~. All ~~state-issued restaurant~~ State-issued private club liquor licenses expire on June 30 of each year. All licensees must notify the City immediately if the State-issued private club liquor license is denied, suspended or revoked for any reason. ~~Private Club License~~ Private club liquor license applicants must provide the City with proof of the State licensure by July 1st of each year or be subject to cancellation, revocation

or termination of the City's license issued hereunder. All renewal applications must attach a copy of a valid State license.

4- 6- 45. SEASONAL LIQUOR LICENSE.

A seasonal liquor license shall carry the privileges of a restaurant liquor license for a period of less than one year to be determined by the City Council or its designee. No person under the age of twenty-one years shall sell or serve liquor under this license.

4- 6- 56. SINGLE SPECIAL EVENT LIQUOR LICENSE

A ~~single~~ special event liquor license shall authorize, for a period not to exceed 72 consecutive hours, the storage, sale, service and consumption of liquor at an event sponsored by a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit that is conducting a convention, civic or community enterprise. The City may not issue more than two ~~single-event~~ special event liquor licenses ~~permits~~ in any one calendar year to the same association, church, or political organization, chapter, lodge or unit thereof.


4- 6- 6 7. REGULATORY LIQUOR LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all liquor licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the City Council or its designee for temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations. This fee may be waived by the City Council or its designee for Special Event Temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

SECTION II. EFFECTIVE DATE. This ordinance shall become effective upon publication.

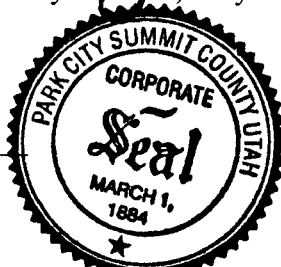
PASSED AND ADOPTED this 19th day of July, 2001.

PARK CITY MUNICIPAL CORPORATION

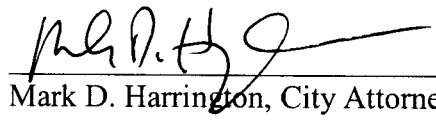

Bradley A. Olch, Mayor

Attest:


Janet M. Scott, City Recorder



Approved as to Form:



Mark D. Harrington, City Attorney



Ordinance No. 01-31

AN ORDINANCE AMENDING TITLE 4, CHAPTERS 1 AND 8 OF THE MUNICIPAL CODE OF PARK CITY REGULATING SPECIAL EVENTS AND MASTER FESTIVALS; CLARIFYING DEFINITIONS AND THE STANDARDS AND PROCEDURES FOR LICENSE APPROVALS AND REVOCATION

WHEREAS, Section 10-8-84, Utah Code Annotated (“U.C.A.”) allows the City to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by U.C.A. Title 10, Chapter 8 which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and its inhabitants; and

WHEREAS, Utah Code Annotated (“UCA”) Sections 10-8-69, -73 and -76 give the City the power to regulate and prohibit public demonstrations, processions and other street or otherwise public performances which may interfere with public order; and

WHEREAS, licensing is a legitimate and reasonable means of time, place, and manner regulation to ensure that sponsors and organizers of Special Events and Master Festivals comply with reasonable regulations; and

WHEREAS, the City Council desires to protect the rights of citizens to engage in activities protected by the free speech and expression provisions of the Constitutions of Utah and the United States subject to lawful time, place, and manner regulations necessary to protect the public health, safety, and welfare; and

WHEREAS, the City Council desires to establish a process for permitting individuals and groups to use City streets, properties, facilities, or services for Special Events and Master Festivals while maximizing the safety of participants and minimizing the inconvenience to the general public and disruption of public services; and

WHEREAS, the City Council desires to provide for cost recovery of City services required for Special Events and Master Festivals when such recovery will not unreasonably or unlawfully burden constitutionally protected activities; and

WHEREAS, the time, place and manner restrictions of this ordinance are required to protect important governmental interests and are reasonably related to achieve the protection of those interests with the minimum interference necessary to rights protected by state and federal

constitutional provisions,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah that:

SECTION I. AMENDMENT. Pursuant to the findings above, which are hereby incorporated herein, Title 4, Chapter 1 of the Municipal Code of Park City is hereby amended to read as follows:

4-1-1.13 **CORPORATE SPONSOR.** ~~within the meaning of Chapter 8 - Master Festival Licenses shall be~~ Any business enterprise or combination of business enterprises which provide funding for any special event in the amount of 50% or more of the funds necessary to promote the event or account for 50% or more of the event's operating expenditure budget.

4-1-1.19 **FIREWORKS PERMIT.** ~~Normally applied for and paid for through~~ A permit issued by the City Fire Marshal for aerial or concession fireworks, pursuant to the Uniform Fire Code. ~~When fireworks are used in conjunction with a licensed event, the Master Festival License negates the need of a separate Fireworks Permit.~~

4-1-1.36 **PUBLIC MASTER FESTIVAL.** Any event held on public or private property in which the general public is invited with or without charge and which creates significant public impacts through any of the following: (a) the attraction of large crowds, (b) necessity for street closures on Main Street or any arterial street necessary for the safe and efficient flow of traffic in Park City, (c) ~~or use of other~~ public property, (d) use of City transportation services, (e) use of off-site parking facility, or (f) use of amplified music in or adjacent to a residential neighborhood. ~~requires the use of public employees or equipment, (e) or necessitates temporary business or liquor licensing in conjunction with the public impacts.~~

4-1-1.45 **SPECIAL EVENT.** Any event, public or private, with either public or private venues, requiring City licensing beyond the scope of normal business and/or liquor regulations, as defined by this Code; or creates significant public impacts through any of the following: (a) the use of ~~public property or employees;~~ City personnel; (b) ~~or could reasonably be interpreted to cause significant public impacts via disturbance to adjacent residents;~~ (c) ~~crowd;~~ traffic/parking; (d) ~~or~~ disruption of the normal routine of the community or affected neighborhood; or (e) necessitates special event temporary beer or liquor licensing in conjunction with the public impacts. Neighborhood block parties or other events requiring street closure of any residential street that is not necessary for the safe and efficient flow of traffic in Park City for a duration of less than one day shall be considered a Special Event.

4-1-1.46 **SPECIAL EVENTS MANAGER COORDINATOR.** ~~The Chief of Police of Park City Municipal Corporation.~~ The Special Events Manger or his/her designee within the Department of Special Events and Facilities.

4-1-1.47 **STREET CLOSURE.** The deliberate blockage of any public street or City owned parking

facility to prohibit the flow of traffic or access of vehicles. Any non-construction Street Closure in excess of four (4) hours shall require a Master Festival or Special Event License. ~~requires a Master Festival License. Any non-construction related Street Closure, regardless of duration, of Main Street or any arterial street necessary for the safe and efficient flow of traffic in the City, shall require a Master Festival License.~~

4-1-1.48 **SPONSOR.** A person, group, or business which has contracted to provide financial or logistical support to any Special Event or ~~f~~Public Master Festival. Such agreement may provide for advertising rights, product promotion, logo promotion, exclusivity of rights, products, or logos.

4-1-1.52 **VENUE.** The location or locations upon which a Special Event or ~~P~~Public Master Festival is held, as well as the ingress and egress route when included in the festival license.

SECTION II. AMENDMENT. Title 4, Chapter 8 of the Municipal Code of Park City is hereby amended to read as follows:

CHAPTER 8 - MASTER FESTIVAL LICENSE

4-8-1. DEFINITIONS.

For the purpose of this Chapter the following terms shall have the meanings herein prescribed.

(A) **APPLICANT.** The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the event lies. The ~~applicant~~ Applicant signs the festival license application and all other documents relevant to the event. The ~~applicant~~ Applicant must be a natural person or persons, and not a corporation, corporate sponsor, or business, or any other entity which is not a natural person (see Sponsor).

~~(B) **BUSINESS LICENSE.** As defined in Chapter 2 of this Title. A Business license may be temporarily replaced or altered for the purpose of a special event or public festival within the specific guidelines of the festival license.~~

~~(B) **CONCESSION.** A privilege to sell food, beverages, souvenirs, or copyrighted or logoed event memorabilia at a licensed event. Concessions are provided for within this Chapter in lieu of City business license regulations.~~

~~(C) **FEES.** Charges assessed by Park City for licensing, staffing, equipment use/rental, property use/rental, clean up, inspections involving the use of public property, public employees, or public equipment assessed to an event or festival and established within the festival licensing process.~~

(DE) **LICENSEE.** The Applicant, as defined above, becomes the "licensee" when the Master Festival License or Special Event License is signed by the Special Events Manager, upon meeting

all the criteria in this Chapter ~~Coordinator or receives formal City Council approval.~~ As the license holder, the Licensee becomes the sole proprietor of the event and inherits the responsibilities connected with all licenses, fee assessments, copyrights, and insurance liabilities connected with the licensed event.

~~(F) — **PUBLIC HOLIDAY.** Any state or national holiday or any locally declared day of celebration during which a Public Festival may be held. Such days are, but may not be limited to: 4th of July, Miners Day, and that portion of America's Opening (Friday after Thanksgiving) which is held on public property. Public Festivals on Public Holidays promoted by the Park City Municipal Corporation (City) and/or the Park City Chamber/Bureau and held on public property do not require festival licensing. Fees will be absorbed by the City as established by the Special Events Coordinator in an amount less than five hundred dollars (\$500). Event expenditures for public holidays in excess of five hundred dollars (\$500) require City Council approval.~~

4-8-2. UNLAWFUL TO OPERATE WITHOUT A LICENSE.

~~Unless exempted by state or federal law, it shall be~~ It is unlawful for any Person ~~person, group, or business~~, to conduct a Special Event or ~~Public~~ Master Festival with or without charge for admission, on public or private property, without first applying for and being granted a Master Festival License or Special Event License for the specific event and its Venue(s). All licenses issued pursuant to this Title are non-transferrable and expire at the completion of the given event or upon revocation, whichever is earlier.

4-8-3. RENEWAL OF LICENSES.

Licensees under the provisions of this Chapter who successfully operate a Master Festival or Special Event ~~an event~~ under the provisions of this Chapter and who wish to have the event on an annual or periodic basis, must renew each Master Festival or Special Event License as provided in Section 4-8-4 herein ~~as if it were a new event~~. Events which occur in series, such as concerts; falling under the criteria established in this Chapter, must have a Master Festival or Special Event License for which specifically authorizes each concert in the series, even if the same performer is performing on separate occasions.

4-8-4. MASTER FESTIVAL LICENSE APPLICATION AND REVIEW PROCEDURE.

~~Applications for Master Festival Licenses shall be made in writing to the Special Events Coordinator (Chief of Police). Application materials are available at City Hall and the Chamber/Bureau offices, and must be completed and submitted to the Special Events Coordinator not less than forty-five (45) days prior to the scheduled opening of the event.~~

(A) APPLICATION SUBMITTAL. Applications for Special Events and Master Festivals shall be made in writing to the Special Events Manager. Application materials are available at City Special Events Department and the Chamber Bureau offices, and must be completed and submitted to the

Special Event Manager not less than ninety (90) days prior to the scheduled opening of any Master Festival, and not less than sixty (60) days prior to the scheduled opening of any Special Event, unless otherwise approved by the City Council (or by the Special Events Manager for Special Events) upon a showing of good cause.

(B) CITY COUNCIL REVIEW. The City Council of Park City shall review and either approve, approve with conditions, or deny the following applications: (1) applications for new Master Festivals; (2) applications for Master Festival License renewals where material elements of the event have substantially changed from the previous application; and (3) appeals of administrative decisions made pursuant to Subsection C herein. As used herein, a “new Master Festival” shall mean any Master Festival being proposed for the first time, or a prior Master Festival which was not renewed for a period exceeding one year. The City Council shall review applications for compliance with the standards for license approval described at Section 4-8-5 herein as follows:

(1) Staff Review and Recommendation. Upon receipt of a complete Master Festival License application and accompanying fee, City Staff shall review the application for compliance with Section 4-8-5 herein. Staff shall subsequently return a copy of the application to the Applicant with comments and a recommendation (ie., approve as is, approve with changes and/or conditions, or cause for denial). Incomplete applications will be returned to the Applicant and noted accordingly. Following review of the Master Festival License application and notice to the Applicant, the Special Events Manager shall schedule the application for a public hearing before the City Council.

(2) City Council Hearing. Master Festival applications requiring City Council review and appeals of administrative Master Festival or Special Event decisions shall be heard at a duly noticed public hearing of the City Council. The City Council shall review the application for compliance the standards set forth at Section 4-8-5 herein, and shall record its decision with written findings of fact, conclusions of law, and conditions of approval (if applicable). Written notice of the City Council’s decision shall be delivered to the Applicant within ten (10) days of the date of decision.

(C) ADMINISTRATIVE REVIEW. The Special Events Manager shall review and shall have the authority to administratively approve, approve with conditions, or deny the following applications: (1) Special Event applications; and (2) applications for Master Festival License renewals where material elements of the event have not substantially changed from the previous application. Upon receipt of a complete Master Festival License application and accompanying fee, the Special Events Manager shall review the application for compliance with Section 4-8-5 herein. Following review of the application, the Special Events Manager shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval (if applicable) and deliver written notice of such decision to the Applicant. Any Applicant whose application has been administratively denied may appeal the decision to the City Council by filing a written request to the Special Events Manager within ten (10) days of the date of decision. The City Council shall hear the matter de novo and with public hearing.

Upon receipt of a complete Master Festival License application and accompanying fee, the Special Events Manager shall review the application for compliance with Section 4-8-5 herein. Following review of the application, the Special Events Manager shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval (if applicable) and deliver written notice of such decision to the Applicant.

~~Applications for Master Festival Licenses shall be made in writing to the Special Events Coordinator (Chief of Police). Application materials are available at City Hall and the Chamber/Bureau offices, and must be completed and submitted to the Special Events Coordinator not less than forty-five (45) days prior to the scheduled opening of the event. Application materials will be reviewed by the City staff and returned to the applicant with comments and a recommendation (i.e., approval as is, approval with changes, cause for denial) within ten (10) working days from date of submission. Incomplete applications will be returned to the applicant and noted accordingly. Upon receipt of favorable recommendation and the signature of the Special Events Coordinator, the application shall be noticed before the Park City Council for public hearing, consent agenda, or renewal, whichever may apply, by the Special Events Coordinator upon properly public notice at the next available City Council meeting. Upon City Council approval of the application, the application will automatically evolve into a Master Festival License for the given event.~~

4-8-5. STANDARDS FOR LICENSE APPROVAL.

Applications for Master Festivals and Special Events shall be reviewed for compliance with the standards provided herein. The Special Events Manager or City Council may prohibit or restrict any Special Event or Master Festival whenever any of the conditions enumerated in this Section is found likely to occur, unless the event is modified to eliminate said condition.

(A) The conduct of the event will substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venue.

(B) The conduct of the event will require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.

(C) The concentration of persons, vehicles, or animals will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.

(D) The event will substantially interfere with any other Special Event or Master Festival for which a license has already been granted or with the provision of City services in support of other such events or governmental functions.

(E) Where applicable, the Applicant fails to provide the following: (1) the services of a sufficient number of traffic controllers, signs or other City required barriers or traffic devices; (2) monitors for

crowd control or safety; (3) safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted without creating unreasonable negative impacts to the area and with due regard for safety and the environment; (4) adequate off-site parking, shuttle service, or both where necessary to minimize substantial adverse impacts on general parking and traffic circulation in the vicinity of the event; (5) required insurance, cash deposit, or other security; or (6) any other services or facilities necessary to ensure compliance with City noise, sign, or other applicable ordinance(s).

(F) The event created the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

(G) The Applicant demonstrates an inability or unwillingness to conduct the event pursuant to the terms and conditions of this Chapter or has failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

(H) The Applicant has not obtained the approval of any other public agencies, including the Park City Fire District, within whose jurisdiction the event or a portion thereof will occur.

4-8-6. CONFLICTING LICENSE APPLICATIONS.

No more than one Master Festival or Special Event shall be approved for the same date(s) unless the Special Events Manager or City Council finds that the events will not adversely impact one another and that concurrent scheduling of the events will not adversely impact the public health, safety, and welfare. In making this determination, the Special Events Manager or City Council will apply the following criteria: (1) geographic separation of the events; (2) proposed time and duration of the events; (3) anticipated attendance volumes; (4) necessity for public personnel, equipment, and/or transportation services at the events; and (5) anticipated traffic and parking impacts.

When more than one Special Event or Master Festival Application is received for the same date(s), the Special Events Manager finds that (1) the events will adversely impact one another; or (2) concurrent scheduling of the events will adversely impact the public health, safety, and welfare, the Special Events Manager shall resolve the conflict as provided herein. The Special Events Manager shall first attempt to reach an agreement among the conflicting Applicants to modify the applications in order to resolve the conflicts and accommodate the public interest. If no voluntary agreement is reached, then the Special Events Manager shall resolve the issue based on the following order or priorities:

(A) Historic usage Special Events or Master Festivals where the same Applicant has been granted a license under this Chapter for use of a particular City forum at a particular date, time, and place for more than three (3) consecutive years;

(B) Events planned, organized, or presented by state, federal, or City governmental entities or their agents shall have priority over conflicting applications if (1) the application is timely filed and

processed by the City, and (2) said governmental application is made in good faith and not with the effect or purpose of improperly chilling constitutional rights of conflicting Applicants;

(C) If neither subsection (A) nor (B) is applicable, or if (A) and (B) do not resolve the conflict, then the first-in-time application shall be given priority. The conflicting Applicant shall be advised of other open dates on the City's events calendar.

4-8-75. LICENSES ENCOMPASSED BY NECESSARY FOR A SPECIAL EVENT LICENSE AND MASTER FESTIVAL LICENSE.

The ~~Master Festival License~~ Applicant/ Licensee shall ~~include~~ provide to the Special Events Manager proof of a ~~temporary business license~~, valid special event temporary liquor or beer license, fireworks license, and building permit as applicable, as well as a receipt acknowledging that all application fees have been paid. ~~, and banner permit either individually or in combination. This Section does not eliminate necessary state permits, licenses, or tax accountability, nor does this Section supersede any state permit, license, or tax regulation. A profit-making business or corporation promoting a Special Event which falls under the provisions of this Chapter must also have a fully paid Park City Municipal Corporation business license, as outlined in Chapter 2 prior to making application for a Master Festival License.~~ ~~Occupancy~~ The Licensee must obtain all permits for any temporary structure ~~establishment~~ constructed under the provisions of a Master Festival License and must pass all inspections as a condition precedent to a valid Special Event License. Temporary concessions on public or private property may be approved in conjunction with a Master Festival or Special Event in the sole discretion of the City. Such concessions must be directly related to the event and meet a demonstrated need of participants. Unless otherwise approved by City Council, all concessions require a regular business license. ~~will be provided to the Licensee upon compliance of all Code enforcement provisions and upon inspection by the Park City Building Department.~~

4-8-86. FEES TO BE ASSESSED.

(A) APPLICATION FEE. First-time Master Festival applications shall be assessed a fee of one hundred dollars (\$100). Special Event and renewal Master Festival applications shall be assessed a fee of fifty dollars (\$50). All applications fees are due and payable upon submission of a completed application. Applications shall be considered incomplete unless and until the application fee is paid in full. ~~Upon application, the Special Events Coordinator will, upon review of necessary services, property, and/or equipment as requested by applicant or deemed necessary by Special Events Coordinator,~~

(B) CITY SERVICE FEES. Upon receipt of a completed Master Festival or Special Event application, the Special Events Manager will provide the applicant with an estimate of fees based on estimated costs for city services arising from the event, including but not limited to the use of city personnel and/or equipment, city transportation services, inspections, and user fees. ~~City department user fees, salaries, equipment rental charges, and inspection charges to be assessed against the event~~

~~for city services.~~ A final assessment of City costs will occur upon completion of the Special Event. All city service fees will be adjudged to reflect actual cost. Unless waived pursuant to Section 4-8-9, all city service fees must be paid in full within thirty (30) days of the final assessment of City costs for the Master Festival or Special Event.

(C) FINANCIAL SECURITY. The Special Events Manager is authorized to require an Applicant to post a cash deposit or other security accepted by the Legal Department for all estimated contingent costs prior to the issuance of a Master Festival License, as a guarantee against fees, damages, clean up, or loss of public property.

~~4-8-7. PAYMENT OF FEES, POSTING OF BONDS.~~

~~Unless waived pursuant to this Chapter, all fees due the Park City Municipal Corporation as a result of a special event or public festival, must be paid within thirty (30) days from the final day of the event. This Section further empowers the Special Events Coordinator to require an applicant to post a bond in an amount not to exceed one thousand dollars (\$1,000) prior to the issuance of a Master Festival License, as a guarantee against fees, damages, clean up, or loss of public property. Bonds may be waived by the Special Events Coordinator upon demonstration by the applicant that adequate steps are provided for protection of public property, payment of fees, and Venue clean up.~~

4-8-98. FEE WAIVERS.

The City Council or City Manager may waive all or a portion of any Master Festival or Special Event licensing and associated fees upon a finding of eligibility pursuant to the criteria provided herein. All fee waiver requests shall be submitted to the Special Events Manager no later than the first day of the proposed event. Fee waiver requests shall be reviewed and approved/denied by the City Council for all new Master Festival applications. Fee waiver requests for all Master Festival renewal applications and Special Events shall be reviewed and approved/denied by the City Manager. Fee waiver determinations made by the City Manager may be appealed to the City Council. Eligibility for a full or partial fee waiver shall be determined by the City Council or City Manager pursuant to the following criteria, none of which shall be individually controlling: (1) for-profit or non-profit status of the Applicant; (2) whether the event will charge admission fees; (3) whether the event is youth-oriented; (4) the duration of the event; (5) whether and to what extent the City is likely to receive positive tax benefits by virtue of the event; (6) the degree of City services involved and whether City costs are likely to be recovered by other revenue opportunities arising from the event; (7) the season of occurrence; and (8) demonstration of hardship by the Applicant. Fee waiver requests must be filed annually, unless otherwise approved in a City services agreement by the City Council. Approval of a fee waiver for any application shall not create a precedent for future requests. ~~It is recognized that some events, particularly new events, may not have sufficient resources to pay City assessments and in fact, the event could not occur or would be significantly harmed if assessments were levied. For-profit events or events which are charitable or not-for-profit with budgets in excess of fifty thousand dollars (\$50,000) will not be considered for fee waivers. The Special Events Coordinator shall make a recommendation in conjunction with the application~~

~~approval process for a fee waiver based on one or more of the following criteria.—~~

~~(A) — Events without Corporate Sponsorship and which do not charge admission, will receive a 100% fee waiver, upon request, during the first year of operation.—~~

~~(B) — Events without Corporate Sponsorship and which do not charge admission will receive, upon request, a fifty percent (50%) fee waiver during the second year of operation. No additional waivers will be given beyond the second year of operation.—~~

~~(C) — Events having Corporate Sponsorship, which charge admission, or have some other source of funding, will upon request, receive a fifty percent (50%) fee waiver during the first year of operation or upon the first event, whichever is less. No additional waivers will be given.—~~

~~(D) — Charitable events having no Corporate Sponsorship and which charge two dollars (\$2) or less admission, upon request for waiver and presentation of documents noting tax free status and intended donor, will have all fees waived until such time as the status of the event changes.—~~

~~(E) — Charitable events having Corporate Sponsorship, which charge admission, or sell tickets or any combination thereof, may receive a full, partial, or no fee waiver based upon request and presentation of a full event budget to the Special Event Coordinator who in turn will evaluate the event and the budget for applicability to this Section. Event budgets in excess of fifty thousand dollars (\$50,000) in gross revenue, including donations, or fifty thousand dollars (\$50,000) in gross expenditures will not be considered.—~~

4-8-109: INSURANCE REQUIREMENTS.

~~Every event licensed under the provisions of this Chapter Applicants shall provide upon application for a Master Festival License license proof of liability insurance in the amount of one two million dollars (\$2,000,000 1,000,000) or more as may be required by the Special Events Manager Coordinator or the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured. Private events held on private property falling under the requirements of this Chapter All Applicants shall further indemnify the City from liability occurring at the event, except for any claim arising out of the sole negligence or intentional torts of the City or its employees.~~

~~4-8-10. PUBLIC HEARING PROCESS.—~~

~~All new Master Festival Licenses shall have a public hearing, properly noticed, as a matter of City Council business to be held not less than ten (10) calendar days from the proposed start date of the event. The public hearing shall be the method by which members of the public, and particularly those persons affected by the event, can provide input or register protest. Each Master Festival License public hearing shall only be held after the application process is completed and the application is signed by the Special Events Coordinator, and all appropriate recommendations as to fee waivers and approvals for the event have been noted. Renewal licenses and Public Holiday festival licenses, as promoted by the City and/or Chamber/Bureau, as defined above do not require~~

~~public hearing, unless the event has so changed during the renewal period as to cause significantly different public impacts than originally intended, or, in the case of Public Holiday festivals, the public impacts are so great as to cause mass inconvenience. and the likelihood of protest outweighs the elimination of the festival licensing process.~~

4-8-1113. RUNS, WALKS, FILM-MAKING, AND PROMOTIONS.

Runs, walks, film-making, parades, public demonstrations, and promotions shall be considered Special Events ~~are not governed by the provisions of this Chapter~~ unless such run, walk, film, or a promotion creates event does not create substantial public impact or requires substantial City service. Any run, walk, film, or promotion undertaken by any for-profit business or corporation, must first be licensed as a business under Chapter 2 Business Licenses. For-profit corporations falling under the provisions of this Chapter or who are specifically in film-making or promotions on public or private property must, as a provision of their license, provide proof of insurance, shooting schedule or schedule of events, produce written permission of property owners, and provide access to any set or site for purposes of Code enforcement.

4-8-12. CRIMINAL PENALTY.

Any person who willfully violates any provision of this Chapter shall be guilty of a Class B misdemeanor. Persons conducting Special Events or ~~Public~~ Master Festivals without having first obtained a Master Festival License are subject to arrest and the event is subject to closure.

4-8-13. REVOCATION FOR CAUSE; NOTICE TO CURE.

A. Notice to Cure. If the Special Events Manager or any sworn law enforcement officer determines that the conditions of any license issued pursuant to this Chapter have been or are being violated, then notice shall be given to the Licensee, sponsor, or designated organizer's representative of the Special Event or Master Festival to cure the violation.

B. Failure to Cure. It is unlawful for the Licensee, sponsor, or on-site organizer's representative of an authorized Special Event or Master Festival to fail to take reasonable steps to promptly cure any notice of violation of this Chapter. It is also unlawful for any participant or spectator to fail to comply with lawful directions issued by any sworn law enforcement officer or by the Licensee, sponsor, or on-site organizer's representative to cure their violation of this Chapter.

C. Clear and Present Danger. If a sworn law enforcement officer determines, after consultation with the Chief of Police or the Chief of Police's designee, that any failure to cure a violation of this Chapter creates a clear and present danger of immediate significant harm to life, public safety, or property which cannot be reasonably mitigated by increased public safety enforcement and which, on balance, outweighs the constitutionally protected rights of the organizers or participants in the Special Event or Master Festival, the Licensee, sponsor, or on-site organizer's representative of the Special Event or Master Festival shall be promptly notified that the license is revoked and that the

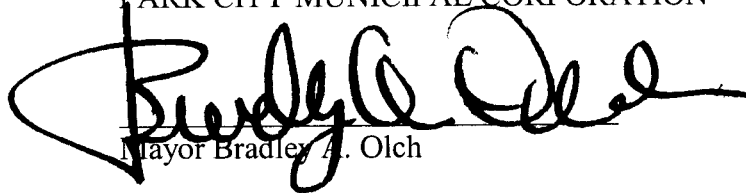
Special Event or Master Festival must immediately cease and desist.

D. Violation of Cease and Desist Order. If a license is revoked as specified in subsection C above, then it shall be unlawful for any person to fail to obey the order to cease and desist from illegal activities.

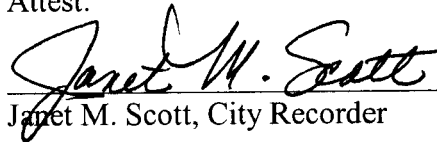
SECTION III. EFFECTIVE DATE. This ordinance shall become effective upon publication. The fee waiver provisions of Section 4-8-9 shall retroactively apply to any applications filed on or after May 1, 2001.

PASSED AND ADOPTED this 19th day of July, 2001.

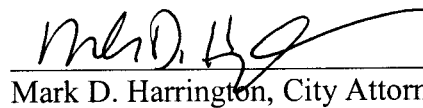
PARK CITY MUNICIPAL CORPORATION

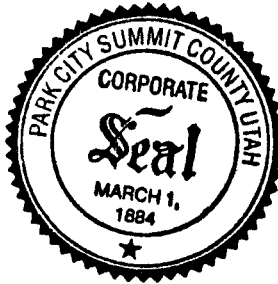

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to Form:


Mark D. Harrington, City Attorney





When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**

Ordinance No. 01-30

**AN ORDINANCE VACATING A PORTION OF
WOODSIDE AVENUE AT THE TOWN RUN SOUTH OF EIGHTH STREET**

WHEREAS, the owners of the Park City Mountain Resort desire to construct a ski run across Woodside Avenue; and

WHEREAS, Park City's Planning Commission approved a Conditional Use Permit for the Town Run and the related bridge across Park Avenue and the closure of Woodside Avenue; and

WHEREAS, representatives of Park City have executed building permits and agreements furthering the objective of extending the Town ski run to Main Street; and

WHEREAS, winter and summer recreation are important to the economy and well-being of Park City; and

WHEREAS, it is in the best interest of Park City to facilitate the completion of the Town Run by closing and vacating a portion of Woodside Avenue; and

WHEREAS, Greater Park City Company has provided valuable consideration in the form of utility improvements, road replacement dedication and construction at 7th Street, engineering documents, financial guarantees and easements.

NOW THEREFORE BE IT ORDAINED by the Park City Council as follows:

SECTION 1. VACATION. The City Council hereby determines that there is good cause for the vacation and the vacation will not be detrimental to the public interest. The portion of Woodside Avenue described in Exhibit A, attached hereto and hereby made a part hereof, is hereby declared vacated, reserving to Park City a non-exclusive public access and utility easement across the entirety of the vacated portion of Woodside Avenue.

SECTION 2. ACCESS/EASEMENTS. Park City shall have access to the vacated

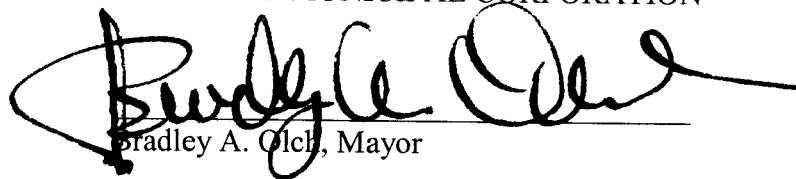
portion of Woodside in a manner that has been agreed upon between Park City and Greater Park City Company as reflected in that Easement Agreement dated May 25, 2001 and recorded at Summit County, 00590905, Book 01376, Page 00207-00226.

SECTION 3. TITLE. Upon recordation of this Ordinance the property described in Exhibit A shall be vested in fee in the name of Greater Park City Company or its successors and assigns. Greater Park City Company shall reflect the vacation in a replat of the area subject to the approval of Park City.

SECTION 4. EFFECTIVE DATE. This ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 19th OF JULY, 2001.

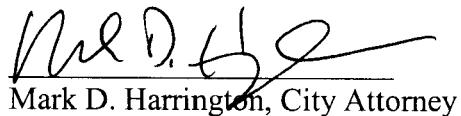
PARK CITY MUNICIPAL CORPORATION


Bradley A. Olch, Mayor

ATTEST:


Janet M. Scott, City Recorder

Approved as to Form:


Mark D. Harrington, City Attorney





CONSULTING ENGINEERS

LAND PLANNERS

SURVEYORS

EXHIBIT A

VACATED WOODSIDE AVE.

LEGAL DESCRIPTION

Beginning at a point on the West line Lot 2 Block 1, Snyder's Addition to Park City, said point being North $28^{\circ}46'30''$ West 403.13 feet and South $61^{\circ}13'30''$ West 153.39 feet from a Park City Monument located at the intersection of Park Avenue and Heber Avenue; thence along the West line of said Lot 2 Block 1, South $31^{\circ}44'30''$ East 36.40 feet to a point on a non-tangent curve to the left having a radius of 67.50 feet of which the radius bears South $35^{\circ}55'29''$ East; thence along the arc of said curve 57.31 feet through a central angle $48^{\circ}38'54''$ to a point on the East line of Block 12, Snyder's Addition to Park City; thence along the East line of said Block 12, North $31^{\circ}44'30''$ West 48.03 feet to a point on a non-tangent curve to the right having a radius of 103.83 feet of which the radius bears South $62^{\circ}56'29''$ East; thence along the arc of said curve 51.61 feet through a central angle $28^{\circ}28'54''$ to the point of beginning.

The basis of bearing for this description is the monument located at the intersection of Park Avenue and 9th Street and the monument located at the intersection of Park Avenue and 11th Street, South $35^{\circ}55'30''$ East. 860.00 feet.

Description contains 0.04 acres, more or less.



00594913 Bk01386 Pg00816



Ordinance No. 01-29

AN ORDINANCE APPROVING A PLAT AMENDMENT TO ADD A METES AND BOUNDS PARCEL TO 3198 AMERICAN SADDLER DRIVE (LOT 4) AND ADD A METES AND BOUNDS PARCEL TO 3204 AMERICAN SADDLER DRIVE (LOT 3) AND AMEND THE RISNER RIDGE SUBDIVISION, PARK CITY, UTAH

WHEREAS, the owners of the property known as lots 3 and 4 of the Risner Ridge subdivision have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearings on April 11 and May 23, 2001, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on May 23, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 21 and July 12, 2001, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment and addition to the Risner Ridge subdivision.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Risner Ridge subdivision plat is hereby amended as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The two properties are located at 3198 and 3204 American Saddler Drive, also known as lots 3 and 4 of the Risner Ridge subdivision.
2. The Risner Ridge subdivision is zoned Residential Development (RD).
3. The owners of lots 3 and 4 of the Risner Ridge subdivision each purchased adjoining metes and bounds parcels from neighboring Park Meadows Country Club without pursuing subdivision as required by statute.

4. The metes and bounds parcels are zoned Recreation Open Space (ROS).
5. The metes and bounds parcels were part of the Park Meadows Country Club development but were not being maintained by the golf course. These parcels were Quit-Claim deeded to the adjoining property owners.
6. The metes and bounds parcels are governed by the Restrictive Covenants for the Park Meadows Country Club. The Covenants restrict uses on the land to golf and golf related facilities.
7. A concrete sport court was recently (1999) built on the southwest corner of the metes and bounds parcel adjoining lot 4.
8. The court is situated less than twenty-five (25) feet from the parcel's boundary and the rock retaining walls encroach over the same boundary.
9. Water development fees have not been paid for the new graded areas of the metes and bounds parcels.
10. The setback required by LMC Section 15-2.7-3 for courts within the ROS zone is 25 feet from the zone boundary.
11. The new lot size of lot 3A is 19002 square feet; the new lot size of lot 4A is 23172 square feet.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The subdivision is consistent with the Park City General Plan, the Land Management Code and applicable State law regarding plat amendments.
3. Neither the Public nor any person will be materially injured by the proposed plat amendment.
4. Approval of this plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The new lot sizes are compatible with other lots within Risner Ridge and adjoining Meadows Estates 1B.

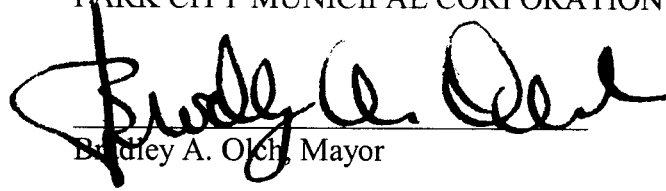
Conditions of Approval


1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Park City Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. Removal of the sport court from the new lot area lying within the ROS zone is a condition precedent to recording the plat. Removal is required in any case.
4. Appropriate water connection fees must be paid to the Building Department.

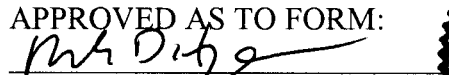
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

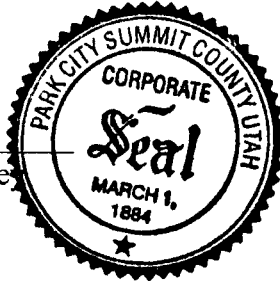
PASSED AND ADOPTED this 12th day of July, 2001.

PARK CITY MUNICIPAL CORPORATION


Bradley A. Olch, Mayor

ATTEST: 
Janet M. Scott, City Recorder

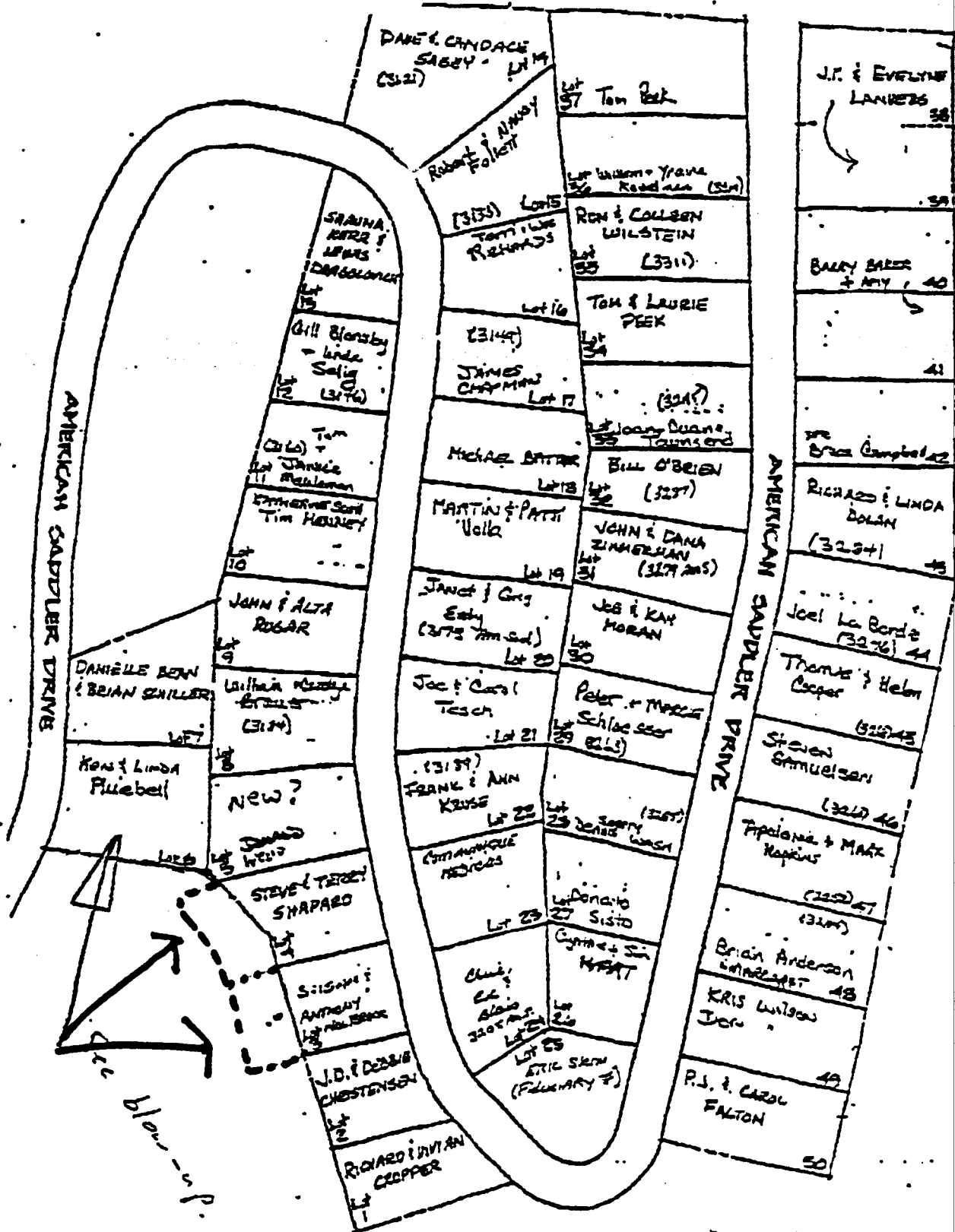
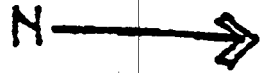
APPROVED AS TO FORM: 
Mark D. Harrington, City Attorney



3198 AMERICAN SADDLER PLAT AMENDMENT

+703581F

T-535 P.11/16 F-933



RECEIVED

DEC 11 2000

EXHIBIT A

PARK CITY
PLANNING DEPT.

66



Ordinance No. 01-28

AN ORDINANCE AMENDING THE PARK CITY LAND MANAGEMENT CODE SECTION 15-2.6-11(HCB DISTRICT - ACCESS, SERVICE, AND DELIVERY) TO ADDRESS PROBLEMS CONCERNING PRIVATE TRASH CONTAINERS ON MAIN STREET.

WHEREAS, the Land Management Code places limitations on refuse storage; and

WHEREAS, the City Council finds that it is in the public interest to regulate refuse storage in the HCB district in order to reduce visual clutter, protect and preserve the unique aesthetic character of the City, and enhance the community's economic viability; and

WHEREAS, public hearings were duly held before the Planning Commission on June 13, 2001, and before the City Council on July 12, 2001; and

WHEREAS, public notice and opportunity to comment were provided, pursuant to the Land Management Code; and

WHEREAS, the City Council finds and determines that, the regulation of private trash containers in the HCB district can enhance the pedestrian appeal and vitality of certain commercial areas; and

WHEREAS, the City Council finds the proposed amendments in the best interest of the residents of Park City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, THAT:

SECTION I. FINDINGS. The above-recitals are hereby incorporated herein as findings.

SECTION II. AMENDMENT. Chapter 15-2.6-11 of the Land Management Code is amended to include the following:

15-2.6-11. ACCESS, SERVICE AND DELIVERY.

All Access for commercial Businesses and facilities shall be located within the HCB District. Emergency Access to the HR-1 and HR-2 Districts may be allowed by the Community Development Department, but such emergency exits shall be designed in such a manner as to prohibit non-emergency use. The primary Access to parking facilities for commercial uses shall not be from residential districts, such as HR-1 and HR-2.

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible only from Main Street, for Structures on the west side of Main Street, or from either Main Street or Swede Alley, for Structures on the east side of Main Street. Non-Main

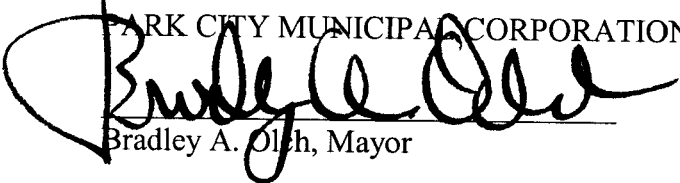
Street Properties within the zone must provide service Access from the rear of the Structure. Refuse storage must be fully enclosed and properly ventilated.

Refuse shall be stored in containers made of durable metallic or plastic materials with a close-fitting lid. Refuse containers shall not be set out for collection earlier than 10:00 PM on the day prior to collection, and must be removed no later than 10:00 AM on the day of collection. Refuse containers set out for collection shall be placed on or directly in front of the owner's property, and shall not be placed in the street, sidewalk, or other public right of way in any manner that will interfere with vehicular or pedestrian traffic. Except when set out for collection pursuant to this Section, refuse containers shall be placed in a location fully screened from view from the public rights of way via Fencing and/or walls. Public trash receptacles set in the right of way by the City for use by the public are exempt from this regulation.

All service and delivery for businesses on the west side of Main Street must be made within the HCB Zone, and shall not be made from the upper Park Avenue residential districts (HR-1 and HR-2)

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

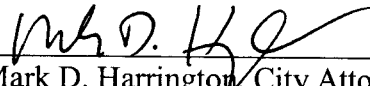
PASSED AND ADOPTED this 12th day of July, 2001.

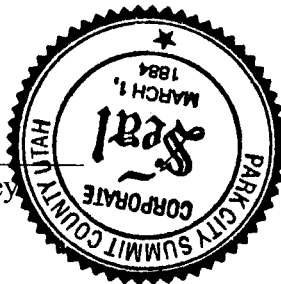
PARK CITY MUNICIPAL CORPORATION

Bradley A. Olsh, Mayor

ATTEST:


Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark D. Harrington, City Attorney





Ordinance No. 01-27

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE LOTS 30, 31, AND 32 OF BLOCK 17 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO TWO(2) PLATTED LOTS (EMPIRE AVENUE)

WHEREAS, the owner of lots 30, 31, and 32 of Block 17 of the Snyder's Addition to the Park City Survey located at 1102, 1104, and 1106 Empire Avenue has petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 27 2001, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on June 27, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 2001, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment to the Park City Survey.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Park City Survey is hereby amended as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Planning Commission at their June 27, 2001 meeting held a public hearing and voted unanimously to forward a positive recommendation the City Council to approve this application.
2. The property is located in the Historic Residential zone (HR-1).
3. The proposed plat amendment will consolidate lots 30, 31, and 32 of Block 17 of the Snyders Addition to the Park City Survey into two (2) platted lots to allow the construction of two (2) new single-family homes.
4. The addresses for the existing lots are 1102, 1104, and 1106 Empire Avenue. The addresses for the proposed lots will be 1102 and 1106 Empire Avenue.

5. The minimum lot size allowed for a single family dwelling is 1,875 square feet. The proposed lot sizes will be 2,812.5 square feet.
6. No remnant lot created is created.
7. A ten (10) foot non-exclusive snow storage easement along Empire Avenue shall be dedicated to the City on the plat.
8. A variance for the reduction of the front yard setback at platted, unimproved 11th Street from 10' to 3' was received from the Board of Adjustment on April 3, 2001.
9. The applicant has applied for a CUP for Construction on a Steep Slope.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.


Conditions of Approval:

1. The City Attorney and City Engineer review and approve the final form and content of the replat for compliance with the Land Management Code and conditions of approval prior to recordation.
2. A Conditional Use Permit for Construction on a Steep Slope must be granted prior to the issuance of any building permits.
3. The proposed construction shall require compliance with the Historic District Design Guidelines.
4. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.
5. No building permit will be issued prior to recordation of the Plat Amendment.
6. A snow storage easement agreement between 1102 and 1106 Empire Avenue shall be reviewed and approved by the Chief Building Official prior to recordation of the plat.
7. No further subdivision of the property is allowed.


SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of June, 2001.

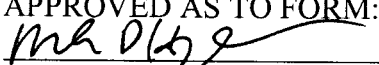
PARK CITY MUNICIPAL CORPORATION

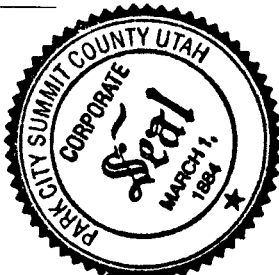

Bradley A. Olch, Mayor

ATTEST:


Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark Harrington, City Attorney



2012

**AMENDED FLAT FOR
 LOTS 30, 31 & 32, BLOCK 17, OF THE SNYDERS ADDITION
 LYING WITHIN THE AMENDMENT QUARTERS OF
 SECTION 36, TOWNSHIP 3 SOUTH, RANGE 4 EAST
 SALS LAKE BASIN & NEIGHAN
 SHERIDAN COUNTY, MONTANA**

Parcel 'A' Description

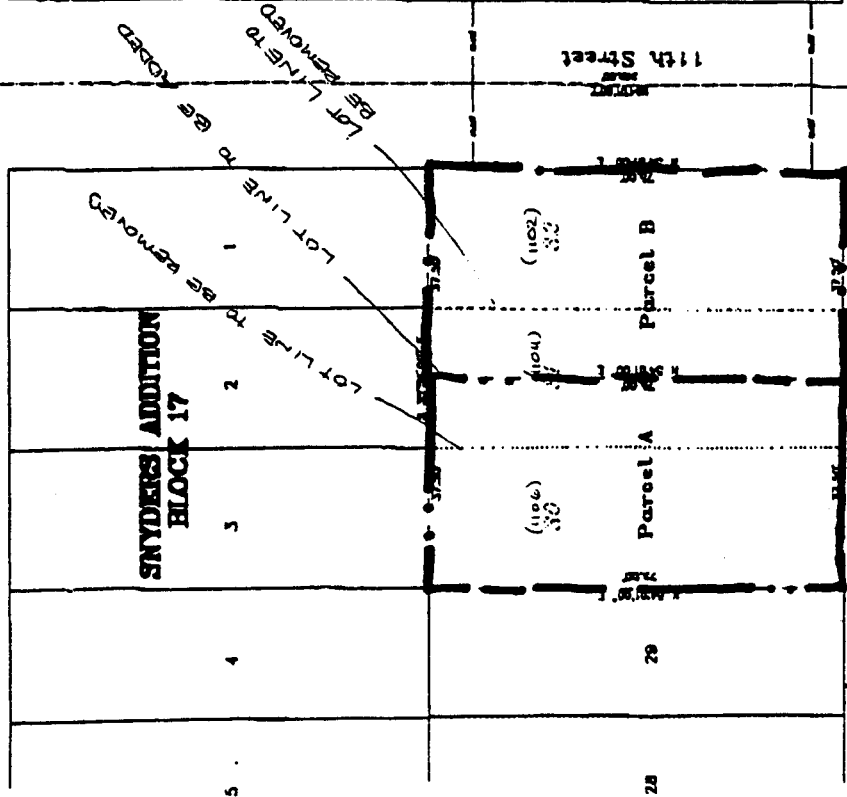
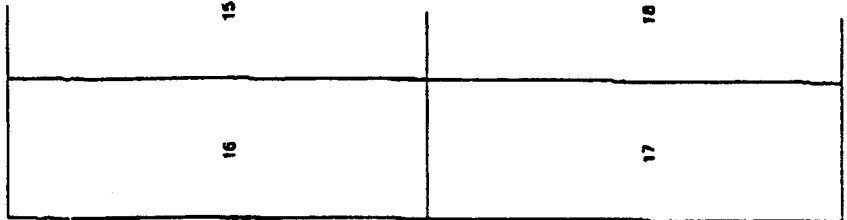
Contains all the interest owned by Lot 30, Block 17, of the Snyder's Addition, as shown on the plat for said block, and also the interest owned by Lot 31, Block 17, of the Snyder's Addition, as shown on the plat for said block. The interest owned by Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block, is hereby severed from the interest owned by Lot 30 and Lot 31, Block 17, of the Snyder's Addition, as shown on the plat for said block, and is hereby conveyed to the interest owned by Lot 30 and Lot 31, Block 17, of the Snyder's Addition, as shown on the plat for said block. The interest owned by Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block, is hereby severed from the interest owned by Lot 30 and Lot 31, Block 17, of the Snyder's Addition, as shown on the plat for said block, and is hereby conveyed to the interest owned by Lot 30 and Lot 31, Block 17, of the Snyder's Addition, as shown on the plat for said block.

Property Number SLS 30 to 6.

Parcel 'B' Description

Contains all the interest owned by Lot 31, Block 17, of the Snyder's Addition, as shown on the plat for said block, and also the interest owned by Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block. The interest owned by Lot 30, Block 17, of the Snyder's Addition, as shown on the plat for said block, is hereby severed from the interest owned by Lot 31 and Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block, and is hereby conveyed to the interest owned by Lot 31 and Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block. The interest owned by Lot 30, Block 17, of the Snyder's Addition, as shown on the plat for said block, is hereby severed from the interest owned by Lot 31 and Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block, and is hereby conveyed to the interest owned by Lot 31 and Lot 32, Block 17, of the Snyder's Addition, as shown on the plat for said block.

Property Number SLS 31 to 6.



1106
 Empire Avenue

1102
 Empire Avenue

DATE OF THIS PLAN: _____ DAY OF _____ A.D. _____

PREPARED BY: _____

CITY OF SHERIDAN: _____

RECORDED IN THE CITY CLERK'S OFFICE OF SHERIDAN COUNTY, MONTANA, ON THIS _____ DAY OF _____ A.D. _____

FILE NO. _____

DATE OF THIS PLAN: _____ DAY OF _____ A.D. _____

PREPARED BY: _____

CITY OF SHERIDAN: _____

RECORDED IN THE CITY CLERK'S OFFICE OF SHERIDAN COUNTY, MONTANA, ON THIS _____ DAY OF _____ A.D. _____

FILE NO. _____

DATE OF THIS PLAN: _____ DAY OF _____ A.D. _____

PREPARED BY: _____

CITY OF SHERIDAN: _____

RECORDED IN THE CITY CLERK'S OFFICE OF SHERIDAN COUNTY, MONTANA, ON THIS _____ DAY OF _____ A.D. _____

FILE NO. _____

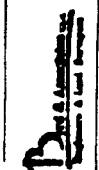
DATE OF THIS PLAN: _____ DAY OF _____ A.D. _____

PREPARED BY: _____

CITY OF SHERIDAN: _____

RECORDED IN THE CITY CLERK'S OFFICE OF SHERIDAN COUNTY, MONTANA, ON THIS _____ DAY OF _____ A.D. _____

FILE NO. _____





Ordinance No. 01-26

**AN ORDINANCE REWRITING AND REORGANIZING THE ETHICS CODE,
TITLE 3 OF THE MUNICIPAL CODE OF PARK CITY;
AND RESCINDING ORDINANCES 91-22 AND 95-38**

WHEREAS, an Ethics Code has been adopted by the City Council of Park City, Utah to establish guidelines for ethical standards of conduct for all City officers and employees; and

WHEREAS, it is in the best interest of the community to direct disclosure by City officers and employees of private, financial or other interest in matters affecting the City; and

WHEREAS, the City Council finds that the proposed changes to the Ethics Code are necessary to organize the Ethics Code into separate chapters in order to address a code of ethics for employees and officials, conflicts of interest disclosure, and campaign disclosure; and

WHEREAS, the Legal Staff has incorporated requirements of the Utah State Code for municipalities in recommending these changes to the Ethics Code. The amendment includes legislative requirements to the Utah State Code concerning ethics, conflict of interest reporting and campaign disclosure

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. AMENDMENT TO TITLE 12 OF THE PARK CITY MUNICIPAL CODE Title 3 of the Municipal Code of Park City is hereby repealed and replaced in its entirety to read as follows and table of contents adjusted accordingly:

TITLE 3 - ETHICS

**CHAPTER 1 - CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES;
RESPONSIBILITY OF PUBLIC OFFICIALS**

3- 1- 1. DECLARATION OF POLICY.

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all officials and employees, whether elected or appointed, paid or unpaid.

The purpose of this Chapter is to establish ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City and by directing the disclosure by such officials and employees of private financial or other interests in matters affecting the City.

The provisions of this Chapter and such rules and regulations as may be established are hereby declared to be in the best interest of the City and for the protection of the public health, safety and welfare of its citizens.

3- 1- 2. FAIR AND EQUAL TREATMENT.

(A) **INTEREST IN APPOINTMENTS.** The canvassing of members of the City Council, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to municipal service, shall disqualify the candidate for appointment except with reference to positions filled by appointment by the City Council or the Mayor with the consultation of the City Council.

(B) **DISCRIMINATION IN APPOINTMENTS.** No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive public office because of such person's race, color, age, religion, sex, national origin, or functional limitation as defined by applicable state or federal laws, if otherwise qualified for the position or office.

(C) **OBLIGATIONS TO CITIZENS.** No City officer or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

3- 1- 3. AGENTS OF PUBLIC PURPOSE.

City officers and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold and impartially carry out federal, state and City laws. They are bound to observe, in their official acts, the highest standards of performance and to discharge faithfully the duties of their office, regardless of personal considerations. Recognizing that the public interests must be their primary concern, their conduct in both their official and private affairs should be above reproach.

3- 1- 4. GIFTS; USE OF OFFICE FOR PERSONAL BENEFIT PROHIBITED.

No City officer or employee shall knowingly accept any economic benefit tantamount to a gift which creates a conflict of financial interest and is given by any person, firm or corporation which to his or her knowledge it interested, directly or indirectly, in any manner whatsoever in business dealings with the City. No City officer or employee shall accept any economic benefit tantamount to a gift regardless of amount, retainer or compensation that is contingent upon a specific action by the City Council, a City commission, board or committee, or a City agency.

(A) As used in this section "economic benefit tantamount to a gift" includes:

(1) A loan at an interest rate that is substantially lower than the commercial rate then currently prevalent for similar loans; and

(2) Compensation received for private services rendered at a rate substantially exceeding the fair market value of the services.

(B) It is an offense for an elected or appointed officer or City employee, to:

(1) disclose or improperly use private, controlled, or protected information acquired by reason of his or her official position or in the course of official duties in order to further substantially the officer's or employee's personal economic interest or to secure special privileges or exemptions for himself or others;

(2) use or attempt to use his or her official position to:

(a) further substantially the officer's or employee's personal economic interest; or

(b) secure special privileges for himself or herself or others; or

(3) knowingly receive, accept, take, seek, or solicit, directly or indirectly, for himself or another a bribe, gift of substantial value, or a substantial economic benefit tantamount to a gift that:

(a) would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties; or

(b) the person knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the person for official action taken.

(C) **EXCEPTIONS.** Subsection (B)(3) does not apply to:

(1) an occasional nonpecuniary gift having a value of less than \$50;

(2) an award publicly presented in recognition of services;

(3) any bonafide loan made in the ordinary course of business;

(4) a political campaign contribution; or

- (5) any gift which would have been offered or given to a person if he or she were not a city officer or employee.

3- 1- 5. USE OF PUBLIC PROPERTY.

No City officer or employee shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official City business.

3- 1- 6. EX PARTE COMMUNICATIONS.

(A) No City officer or employee who has the power to act on a pending quasi-judicial matter shall encourage, make or accept any ex parte or other unilateral application or communication that includes the interests of other parties in a quasi-judicial matter under consideration when such application or communication is designed to influence the official decision or conduct of the officer or other officers, employees or agencies in order to obtain a more favored treatment or special consideration to advance the personal or private interests of him or herself or others. The purpose of this provision is to guarantee that all interested parties to any quasi-judicial matter shall have equal opportunity to express and represent their interests.

(B) Any written ex parte communication received by an official or employee in matters where all interested parties should have an equal opportunity for a hearing shall be made a part of the record by the recipient.

(C) Any oral ex parte communication received under such conditions should be written down in substance by the recipient and also be made a part of the record.

(D) A communication concerning only the status of a pending matter shall not be regarded as an ex parte communication.

3- 1- 7. CITY ALLEGIANCE AND PROPER CONDUCT.

(A) **INCOMPATIBLE EMPLOYMENT.** No City officer or employee shall engage in or accept any private employment, or render services for private interest, when such employment or service is incompatible with proper discharge of his or her official duties or would tend to impair his or her independence or judgement or action in the performance of those duties unless otherwise permitted by law.

(B) **REPRESENTING PRIVATE INTEREST BEFORE THE CITY AGENCIES.** No City officer or employee shall appear on behalf of any private person, other than himself, his spouse or minor children before any City agency. However, a member of the City Council may appear before

City agencies on behalf of his constituent in the course of his duties as a representative of the electorate or in the performance of public or civic obligations.

3- 1- 8. AVOIDANCE OF IMPRESSIONS OF CORRUPTIBILITY.

City officer and employees, whether appointed or elected, full time or part time, paid or unpaid, should conduct their official and private affairs so as not to give a reasonable basis for the impression that any such officer or employee can be improperly influenced in the performance of his or her public duties. Such officers or employees should so conduct themselves as to maintain public confidence in their performance of the public trust in the government they represent. All City officials and employees should avoid even the appearance of conflict between their public duties and private interests.

3- 1- 9. POLITICAL ACTIVITY OF MUNICIPAL OFFICER OR EMPLOYEE.

(A) For purposes of this section, "hours of employment" means occurring at a time when a City officer or employee is acting within the course and scope of employment, but excludes a lunch break afforded to the officer or employee.

(B) Except as otherwise provided by federal law:

(1) the partisan political activity, political opinion, or political affiliation of an applicant for a position with a municipality may not provide a basis for denying employment to the applicant;

(2) a City officer or employee's partisan political activity, political opinion, or political affiliation may not provide the basis for the officer or employee's employment, promotion, disciplinary action, demotion, or dismissal.

(3) A City officer or employee may not engage in political campaigning or solicit political contributions during hours of employment;

(4) A City officer or employee may not use City equipment while engaged in political activity;

(5) A City officer or employee may not directly or indirectly coerce, command, or advise another City officer or employee to pay, lend, or contribute part of the officer or employee's salary or compensation, or anything else of value to a political party, committee, organization, agency, or person for political purposes; and

(6) A City officer or employee may not attempt to make another officer or employee's personnel status dependent on the officer or employee's support or lack of support of a

political party, affiliation, opinion, committee, organization, agency, or person engaged in political activity.

- (C) A City employee who has filed a declaration of candidacy may:
 - (1) be given a leave of absence for the period between the primary election and the general election; and
 - (2) use any vacation or other leave available to engage in campaign activities.
- (D) Neither the filing of a declaration of candidacy nor a leave of absence under this section may be used as the basis for an adverse employment action, including discipline and termination, against the employee.
- (E) Nothing in this Chapter may construed to:
 - (1) prohibit a City officer or employee's voluntary contribution to a party or candidate of the officer or employee's choice; or
 - (2) permit a City officer or employee partisan political activity that is prohibited under federal law.
- (F) No officer or employee shall orally, by letter or otherwise solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours on the premises of any governmental property owned by the City.
- (G) No officer or employee, whether elected or appointed, shall promise any appointment to any position with the City as a reward for any political activity.

3- 1- 10. LATER CASE INTEREST; FUTURE EMPLOYMENT.

It is improper for any former City officer or employee, after the termination of service or employment with the City, to appear as a compensated representative before the City Council, or any of its agencies, in connection with any case or matter in which such former officer or employee was duly connected or personally participated in a policy-making capacity or managerial capacity while an officer or employee of the City during the period of his service or employment, or which was under his active consideration.

Such former officer or employee may be released from the obligation imposed by the provisions of this section upon the submission of a written request to the Council in advance of his or her proposed appearance and a certification that, while an officer or employee of the City, took no action or obtained no information which would prejudice his or her conduct or presentation, either at the time he or she was an officer or employee, or at the time of the presentation.

CHAPTER 2 - DISCLOSURE; CONFLICTS OF FINANCIAL INTEREST.

3- 2- 1. PURPOSE.

The purpose of this Chapter is to establish standards of conduct for municipal officers and employees and to require these persons to disclose actual or potential conflicts of interest between their public duties and their personal interests.

3- 2- 2. CONFLICT OF INTEREST CODE.

With regard to conflicts of financial interests, this Chapter shall be deemed the “Conflicts of Interest Code” of Park City Municipal Corporation.

3- 2- 3. DEFINITIONS.

(A) **APPOINTED OFFICER.** Any person appointed to any statutory office or position or any other person appointed to any position of employment with the City. Appointed officers include, but are not limited to, persons serving on special, regular, or full-time committees, agencies, or boards whether or not such persons are compensated for their services. The use of the word “officer” in this part is not intended to make appointed person or employees “officers” of the City.

(B) **ASSIST.** Means to act, or offer or agree to act, in such a way as to help, represent, aid, advise, furnish information to, or otherwise provide assistance to a person or business entity, believing that such action is of help, aid, advice, or assistance to such person or business entity and with the intent to assist such person or business entity.

(C) **BUSINESS ENTITY.** A sole proprietorship, partnership, association, joint venture, corporation, firm, trust, foundation, or other organization or entity used in carrying on a business.

(D) **CITY EMPLOYEE.** A person who is not an elected or appointed officer who is employed on a full or part-time basis by the City.

(E) **CITY OFFICER.** Any appointed or elected officer. Shall include the Mayor, City Council, all Mayor-appointed City officials and the members of City agencies, boards, committees, and commissions.

(F) **COMPENSATION.** Anything of economic value, however, designated, which is paid, loaned, granted, given, donated, or transferred to any person or business entity by anyone other than the governmental employer for or in consideration of personal services, materials, property or any other thing whatsoever.

(G) **ELECTED OFFICER.** Any person elected or appointed to the office of mayor or city council.

(H) **IMPROPER DISCLOSURE.** Disclosure of private, controlled, or protected information to any person who does not have both the right and the need to receive the information.

(I) **INTEREST.** Direct or indirect pecuniary or material benefit accruing to a city officer or employee as a result of an official act or action by or with the City, except for such contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. For the purposes of this Chapter, an appointed or elected officer or City employee shall be deemed to have an interest in the affairs of:

(1) any person related to him by blood or marriage in a degree closer than the fourth degree of consanguinity or affinity, determined by the civil law method, and a divorce or separation between spouses shall not be deemed to terminate any such relationship;

(2) any person or business entity with whom a contractual relationship exists with the elected or appointed officer, or City employee;

(3) any business entity in which the appointed or elected officer or City employee is an officer, director, or member having a financial interest in, or employed by;

(4) any business entity in which the stock of, or legal or beneficial ownership of, in excess of five percent (5%) of the total stock or total legal and beneficial ownership, is controlled or owned directly or indirectly by the City officer or employee.

(J) **MUNICIPAL BODY.** Any public board, commission, committee, or other public group organized to make public policy decisions or to advise persons who make public policy decisions.

(K) **OFFICIAL ACT OR ACTION.** Any legislative, administrative, appointive or discretionary act of any City officer or employee of the City or any agency, board, committee or commission thereof.

(L) **POLITICAL PURPOSE.** An act done with intent or in such a way as to influence or tend to influence, directly or indirectly, the election of a candidate or the disposition of any issue on the ballot at a municipal election.

(M) **PRIVATE, CONTROLLED, OR PROTECTED INFORMATION.** Information classified as private, controlled, or protected under Municipal Code Title 62, Chapter 2, Government Records Access and Management Act or other applicable provision of law.

(N) **SUBSTANTIAL INTEREST.** Ownership, either legally or equitably, by an individual, his spouse, or his minor children, of at least ten percent (10%) of the outstanding shares of a corporation or ten percent (10%) interest in any other business entity.

3- 2- 4. CONFLICT OF INTEREST DISCLOSURE IN LEGISLATIVE ACTION.

(A) Every City officer who is an officer, director, agent, or employee or the owner of a substantial interest or has any personal interest or investment in any business entity which does or anticipates doing business with the City, shall publicly disclose to the members of the body in which he or she is a member or by which he or she is employed immediately prior to any proposed action or discussion by such body concerning matters relating to such business entity, the nature of his interest in that business entity.

(B) Any personal interest or investment by a City Officer or employee which creates a conflict between the employee's or official's personal interests and his public duties shall be disclosed in open meeting to the members of the municipal body.

(C) The disclosure statement shall be entered in the minutes of the meeting.

3- 2- 5. PREACQUISITION OF INTEREST; INTEREST IN CONTRACT OR TRANSACTION.

No City officer or employee with respect to any contract or transaction which is or may be subject to an official act or action of the City shall acquire an interest in such contract or transaction at a time when the City officer or employee believes or has reason to believe that it will directly or indirectly be affected by an official act of the City.

Regardless of whether he or she abstained from participating in the City decision to award or enter into a contract, no elected or appointed City officer, or employee having the power or duty to perform an official act or action, related to a contract or transaction, shall:

(A) have or thereafter acquire an interest in such contract or transaction; or

(B) have an interest in any business entity representing advising or appearing on behalf of, whether paid or unpaid, any person involved in such contract or transaction; or

(C) have solicited or accepted present or future employment with a person or business entity involved in such contract or transaction;

(D) have solicited, accepted or granted a present or future gift, favor, service or thing of value from or to a person involved in such contract or transaction; or

(E) have encouraged, made or accepted any ex parte or unilateral applications or communication where a determination is to be made after a public hearing and such public employee fails to make the contents of the communication a part of the record.

3- 2- 6. DISCLOSURE OF INFORMATION.

No City officer or City employee with respect to any contract or transaction which is or may be the subject of an official act or action of the City shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, or use such information to advance the financial or other interests of himself or others.

3- 2- 7. PUBLIC CONTRACTS.

No City officer or employee who, in his capacity as such officer or employee participates in the making of a contract in which he has a private pecuniary interest, director indirect, or performs in regard to that contract some function requiring the exercise of discretion on his part, shall enter into any contract with the City unless:

- (A) the contract is awarded through a process of public notice and competitive bidding; or
- (B) the City Attorney waives the requirement of this section after determining that it is the best interest of the City to do so.

3- 2- 8. EXCEPTIONS TO CHAPTER.

- (A) It shall not be deemed a violation of the standards of this Chapter if the interest of a City officer or employee, as a person or business entity, is a contractual obligation of less than five hundred dollars (\$500.00), which has not been preceded by any other obligation, discharged or existing, between the parties, and which is not the first in a series of two or more loans or debts which either of the parties is under the obligation to make or incur; or
- (B) A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of this state to engage in the making of such loans shall not be deemed to create an interest in violation of this Chapter; or
- (C) A contract for a commercial retail sale, even though over the value of five hundred dollars (\$500.00), shall not be deemed to create an interest in violation of this Chapter.

3- 2-9. COMPENSATION FOR ASSISTANCE IN TRANSACTION INVOLVING CITY - PUBLIC DISCLOSURE AND FILING REQUIRED.

Refer to Utah Code Section 10-3-1305, hereby incorporated.

3- 2-10. INTEREST IN BUSINESS ENTITY REGULATED BY MUNICIPALITY - DISCLOSURE STATEMENT.

Refer to Utah Code Section 10-3-1306, hereby incorporated.

3- 2-11. COMPLAINTS CHARGING VIOLATIONS - PROCEDURE.

(A) Any complaint against a person who is under the merit system, charging that person with a violation of this Chapter, shall be filed and processed in accordance with the provisions of the merit system.

(B) If the person charged with the violation is not under any merit system, then the complaint shall be filed with the Mayor or City Manager. The Mayor or City Manager shall investigate the complaint and shall give the person an opportunity to be heard. A written report of the findings and the recommendation of the Mayor or City Manager shall be filed with the governing body. If the governing body finds that the person has violated this part, it may dismiss, suspend, or take such other appropriate action with respect to the person.

CHAPTER 3 - CAMPAIGN DISCLOSURE

3-3-1. PURPOSE.

It is the intent of this section to encourage candidates for the office of Mayor or Council member to follow the basic principles of decency, honesty, and fair play in order that, there be fairly conducted campaigns and that the citizens of Park City may exercise their constitutional right to vote, free from dishonest and unethical practices.

Candidates are encouraged to conduct their campaigns openly and publicly, discussing the issues as they see them, presenting their record and policies with sincerity and frankness, and criticizing without fear or disfavor the record and policies of their opponents or political parties which merit such criticism.

3-3-2. DEFINITIONS.

(A) **CAMPAIGN STATEMENT**. Sworn election campaign contribution and expenditure statement prepared and executed by a candidate.

(B) **CAMPAIGN COMMITTEE**. A committee of citizens formed to campaign for a specific candidate.

(C) **CANDIDATE**. Any person who:

(1) Files a declaration of candidacy for an elected office of the City; or

(2) Received contributions or made expenditures or consents to another person receiving contributions or making expenditures with a view to bringing about such person's nomination or election to such office; or

(3) Causes on his or her behalf, any written material or advertisement to be printed, published, broadcast, distributed or disseminated which indicates an intention to seek such office.

(D) **CONTRIBUTION**.

(1) Any of the following when done for political purposes:

(a) A gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value, or on behalf of a candidate, or a candidate's election committee.

(b) An express, legally-enforceable contract, promise, or agreement to make a gift, subscription, donation, loan, advance, or deposit of money or anything of value to or on behalf of a candidate, or a candidate's election committee.

(c) Any transfer of funds from a political committee, a party committee, another candidate, an officeholder, or a campaign committee to a candidate, or a candidate's election committee.

(d) Compensation paid by any person or committee, other than the candidate, or the candidate's election committee, for person services rendered for, but without charge to, the candidate or the candidate's election committee;

(e) Goods or services provided at less than fair market value to, or for the benefit of a candidate, or a candidate's election committee.

(2) For the purposes of this Chapter, contributions other than money or its equivalent shall be deemed to have a value equivalent to the fair market value of the contribution.

(3) "Contribution" does not include:

(a) services provided without compensation by an individual or individuals volunteering their time on behalf of a candidate, or a candidate's election committee;

(b) money lent to a candidate or a candidate's election committee, at market rate, in the ordinary course of business.

(E) **EXPENDITURE.**

(1) Any disbursement from receipts or from the separate bank account required in Section 3- 3- 3;

(2) A purchase, payment, donation, distribution, loan, advance, deposit, gift of money or anything of value, made by or on behalf of a candidate or a candidate's election committee for political purposes;

(3) An express, legally-enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money or anything of value, by or on behalf of a candidate or the candidate's election committee for political purposes;

(4) A transfer of funds between political or party committees and a candidate's election committee; or

(5) Goods or services provided to or for the benefit of another candidate or another candidate's election committee for political purposes at less than fair market value.

(F) **ELECTION OFFICIAL**. The City Recorder or designee.

(G) **PERSON**. As used in this section, "person" includes a firm, association, corporation, campaign committee or organization.

(H) **POLITICAL PURPOSE**. An act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate for public office at any primary or general election.

3-3-3. SEPARATE BANK ACCOUNT REQUIRED.

(A) Each candidate or candidate's personal election committee shall deposit each contribution received in one or more separate campaign accounts in a financial institution.

(B) The candidate or candidate's personal campaign committee may use the monies in those accounts for political purposes only.

(C) A candidate or a candidate's personal campaign committee may not deposit or mingle any contributions received in a personal or business account.

(D) If a person is no longer a candidate, surplus campaign funds must be dispersed pursuant to criteria in Section 3-3-6 below and reported in the candidate's final campaign statement.

3-3-4. CONTRIBUTIONS TO CANDIDATES - LIMITATIONS.

(A) No person shall make cash contributions, the total of which exceeds fifty dollars (\$50.00), during any one campaign, to any candidate or his or her authorized election campaign committee, with respect to any election for City office; however, there shall be no limit as to the amount contributed by a person or entity to an election committee or candidate if that contribution is made in the form of a personal or certified check or bank draft.

(B) The acceptance of anonymous contributions is prohibited. Any anonymous contribution received by a candidate or election committee shall be transmitted to the City Treasurer for deposit in the general fund.

3-3-5. CAMPAIGN CONTRIBUTIONS AND EXPENDITURES TO BE REPORTED.

Each candidate or election campaign committee must file a sworn campaign contribution and expenditure statement, as follows:

(A) SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT - CONTENT. The campaign statements shall include a detailed listing of each monetary and service contribution received and expenditure made, as follows:

(1) **Contributions.** A list of contributions more than fifty dollars (\$50.00) received by, or on behalf of, the candidate or his/her election committee, including:

- (a) the name and address of the contributor;
- (b) the date contribution was received;
- (c) dollar amount contributed or fair market value of service contributed; and
- (f) a net balance of contributions for the period.

(2) **Contributions Fifty Dollars (\$50.00) or Less.**

- (a) For all individual contributions or public service assistance \$50 or less, a single aggregate figure may be reported without separate detailed listings.
- (b) Two (2) or more contributions from the same source that have an aggregate total more than \$50 may not be reported in the aggregate, but shall be reported separately per section (1) above.

(3) **Expenditures.** A list of expenditures made and obligations incurred as a part of the campaign effort shall include:

- (a) the name and address of every recipient to whom disbursement was made;
- (b) the amount expended or for each nonmonetary expenditure, the fair market value of the expenditure;
- (c) the date of payment; and

(d) a net balance of expenditures for the period.

(4) **Statements Balances.** Each campaign statement shall include the net balance from the previous statement, if any, and show a net balance from the last statement plus all receipts minus all expenditures.

(B) REPORTING FIRST SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT - DEADLINE. Every candidate running for the office of Mayor or City Council shall file a first campaign statement with the election official at least seven (7) calendar days preceding the date of the primary election. See criteria outlined in Section (A) above.

(C) REPORTING FINAL SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT FOR CANDIDATE ELIMINATED IN PRIMARY - DEADLINE. Those candidates eliminated in the primary election must file a final campaign statement with the election officer within thirty (30) calendar days after the primary election. See Section (A) criteria above.

The final campaign statement shall contain a paragraph signed by the candidate certifying that, to the best of the candidate's knowledge, all receipts and all expenditures have been reported as of the date the statement is executed, and that there are no bills or obligations outstanding and unpaid except as set forth in that report.

Refer to Section 3-3-6 below concerning disposition of surplus campaign funds.

(D) REPORTING SECOND SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT. Following the primary election, every candidate still eligible for the office of Mayor or City Council in the general election shall file a second campaign statement with the election official at least seven (7) calendar days preceding the date of the general municipal election. See criteria of Section (A) above.

(E) REPORTING FINAL SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT. All candidates in the general election must file a final campaign statement with the election official within thirty (30) days after the general election. See criteria of Section (A) Above.

The final campaign statement shall contain a paragraph signed by the candidate certifying that, to the best of the candidate's knowledge, all receipts and all expenditures have been reported as of the date the statement is executed, and that there are no bills or obligations outstanding and unpaid except as set forth in that report.

Refer to Section 3-3-6 below concerning disposition of surplus campaign funds.

(F) **AMENDED FINAL SWORN ELECTION CAMPAIGN CONTRIBUTION AND EXPENDITURE STATEMENT.** In the event a candidate or candidate's campaign committee receives a contribution or makes an expenditure after the candidate's final campaign statement has been submitted to the election officer, an amended final sworn campaign statement must be filed with the election official within five (5) days of receipt of the contribution.

3-3-6. DISPOSITION OF SURPLUS CAMPAIGN FUNDS.

Surplus campaign funds held by the candidate or the candidate's committee must be dispersed at the end of the campaign. Disposition is normally accomplished by returning contributed monies or other tangible contributions to the contributor, or donating the contributions to a non-profit organization.

The disposition of any surplus campaign funds must be reported in the final campaign statement.

3-3-7. PUBLIC INSPECTION.

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall make them available as a public record open for public inspection.

CHAPTER 4 - WRITTEN ADVISORY OPINIONS.

Where any Council member, official, or employee has a doubt as to the applicability of any provision of this Title to a particular situation, or as to the definition of terms used herein, he or she may apply to the City Attorney for a written advisory opinion. The officer or employee shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of the Title before such advisory opinion is made. Such opinion, until amended or revoked, shall be binding on the City, the City Council, and the City Attorney in any subsequent actions concerning the Council member, official, or employee who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for the advisory opinion.

Any written advisory opinion prepared by the City Attorney shall be made public. However, the name of the person requesting the opinion and the names of all persons or business entities mentioned in the opinion shall be deemed confidential information and shall not be disclosed by the City Attorney unless the city officer or employee waives such confidentiality or where the City Attorney deems the public official to have failed to act in good faith in requesting the opinion or in conforming with the opinion or to have failed to act in conformance with the opinion.

CHAPTER 5 - ENFORCEMENT; PENALTIES.

3- 5- 1. ENFORCEMENT.

The City Attorney shall have the primary responsibility for the enforcement of this Title. He shall have the power to investigate any complaint, to initiate any suite, and to prosecute any criminal or civil action on behalf of the City where such action is appropriate. The City Council may direct the City Attorney to investigate or prosecute any apparent violation of the Title or it may employ or appoint any qualified attorney to investigate or prosecute any violation or series of violations by one or more persons of this Title. Any person who believes that a violation of any portion of Title 3 has occurred may file a complaint with the City Attorney.

The City Attorney shall have the power, where a violation of the provisions of this Title is threatened or has occurred, to bring an action or proceeding at law or in equity for a judgment enjoining a violation of the provisions of this title or requiring a relinquishment of any prohibited interest or the voiding of any contract or transaction, taking into account the interests of the attorney and any third persons who may be injured thereby.

3- 5- 2. PENALTIES.

In addition to any other penalties or remedies provided by law, any violation of the provisions of this Title shall result in the following:

(A) A cause for suspension, removal from office or employment or other disciplinary action after notice and hearing conducted by the appropriate appointed authority or, in the case of the Council, a majority of the City Council;

(B) Be found guilty of:

(A) a felony of the second degree if the total value of the compensation, conflict of interest, or assistance exceeds \$1,000;

(B) a felony of the third degree if:

(1) the total value of the compensation, conflict of interest, or assistance is more than \$250 but not more than \$1,000; or

(2) the elected or appointed City officer or employee has been twice before convicted of violation of this Chapter and the value of the conflict of interest, compensation, or assistance was \$250 or less;

(C) a class A misdemeanor if the value of the compensation or assistance was more than \$100 but does not exceed \$250; or

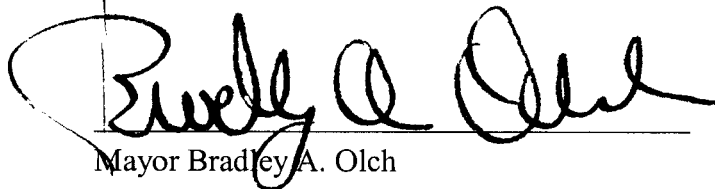
(D) a class B misdemeanor if the value of the compensation or assistance was \$100 or less.

(E) Any contract or subcontract entered into pursuant to that transaction without returning any part of the consideration received by the City may be rescinded or void.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.


PASSED AND ADOPTED this 12th day of July, 2001

PARK CITY MUNICIPAL CORPORATION



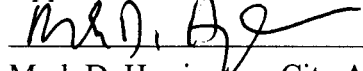
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 01-25

AN ORDINANCE AMENDING CHAPTER 2.20 OF THE LAND MANAGEMENT CODE AND THE SIGN CODE, TITLE 12 OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, a uniform sign code and land management code has been adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to develop standards so that there is consistent criteria for review of sign applications and the community has clear notice of the Sign Code standards; and

WHEREAS, the City Council finds that the proposed changes to the Sign Code are necessary to prevent visual clutter, to aid tourists in easily identifying municipal boundaries, to preserve the historic and resort nature of Park City, to safeguard and enhance property values, and to supplement existing zoning regulations; and

WHEREAS, the Planning Staff has considered standards in other resort communities and input from the Planning Commission and business community in recommending these changes to the Sign Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, that:

SECTION 1. AMENDMENT TO TITLE 12 OF THE PARK CITY MUNICIPAL CODE Title 12 Chapter 9-1(R) of the Municipal Code of Park City is hereby amended to add subsection (R) and table of contents adjusted accordingly:

MUNICIPAL IDENTIFICATION SIGNS. Municipal Identification Signs are a Conditional Use and subject to review pursuant to Land Management Code Section 15-1-10, in addition to the following criteria:

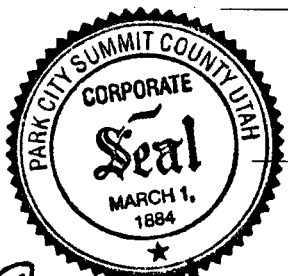
1. **SIZE.** Municipal Identification Signs shall be limited to a maximum of forty square feet (40 sq. ft.) in area.
2. **HEIGHT LIMIT.** No Municipal Identification Sign may exceed a height of eight feet (8') measured from finished grade.
3. **NUMBER OF SIGNS.** No more than two (2) Municipal Identification Signs are permitted in Park City.
4. **SETBACK AND ORIENTATION.** Municipal Identification Signs shall be set back no less than fifteen feet (15') from the right-of-way line or edge of asphalt, whichever is greater. No Municipal Identification sign is permitted in or within 20 feet of an ROS or POS designated zones.
5. **LOCATION/ZONING.** No more than one (1) Municipal Identification Sign shall be permitted along the entry corridor to Park City on Highway 224 and no more than one (1) Municipal Identification Sign shall be permitted along the entry corridor on Highway 248.

Any existing Municipal Identification Sign on the approved site must be removed if
 6. **DESIGN.** Municipal Identification Signs must comply with the design guidelines as
 established in Chapter 4 of this Title. Municipal Identification Signs shall not be
 7. **LANDSCAPING.** A landscaping plan may be required as part of the Conditional Use
 approval. The nature of the plan will be determined by the Planning Commission based
 upon the location of the sign.
 8. **ILLUMINATION.** Lighting of Municipal Identification Signs is permitted provided the
 lighting is shielded and directed on the sign.

SECTION 2. AMENDMENT TO TITLE 12 OF THE PARK CITY MUNICIPAL CODE. Title 12
 Chapter 2-1(MMM) of the Municipal Code of Park City is hereby amended to read as follows:
 (MMM) **MUNICIPAL IDENTIFICATION SIGN:** A sign that is expressly for the purpose
 of notifying motorists of the Municipal boundary and welcoming them to Park City.
SECTION 3. AMENDMENT TO PARK CITY MUNICIPAL CODE TITLE 15, LMC CHAPTER
2.20 FRONTAGE PROTECTION ZONE Chapter 2.20-4(A) of the Land Management Code of Park
 City is hereby amended to read as follows:
 (A) Regardless of the zone setback and yard requirements, except as otherwise provided
 herein, no structure shall be allowed within thirty feet (30') of the nearest highway right-of-way.
 An exception to this requirement shall be granted for two Municipal Identification Signs (one
 within the Utah State Highway 224 entry corridor, and the other within the Utah State Highway
 248 entry corridor), provided that Park City Municipal Corporation is the applicant and subject to
 approval pursuant to Municipal Code Section 12-9-1(L).

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
 PASSED AND ADOPTED this 12th day of July, 2001.

PARK CITY MUNICIPAL CORPORATION
[Signature]
 Mayor Bradley A. Olich



Attest:
[Signature]
 Janet M. Scott, City Recorder

Approved as to form:
[Signature]
 Mark D. Harrington, City Attorney



Ordinance No. 01-24

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY,
AS THE BLOCK 52 REPLAT, LOCATED IN BLOCK 52 OF THE PARK CITY
SURVEY, PARK CITY, UTAH**

WHEREAS, the owners of the property known as United Park City Mines Corporation, Leslie Miller, and Kay C. Waxman have petitioned the City Council for approval of a revision to Block 52 of the Park City Survey; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 9, and May 23, 2001 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on May 23, 2001 forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 21, 2001 the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey and plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The 25,777 square feet (.59 acre) property is in the HR-L District.
2. The property is located to the south of the Ivers Replat and the 2nd Street right-of-way.
3. The property is currently vacant.
4. The plat amendment reconfigures 15 full and partial HR-L District lots in Block 52 of the Park City Survey into 3 lots of record.

5. The plat amendment also includes a request to vacate 488 square feet of platted unbuilt Marsac Avenue adjacent to Lots 6 and 7, Block 52. Action on street vacation requests are taken by the City Council.
6. Access to the applicants' property is via a proposed extension of a private driveway off of existing Ontario Avenue through the Ivers Replat.
7. The proposed private driveway extension crosses the 2nd Street right-of way and a portion of platted/unbuilt Marsac Avenue.
8. The 2nd Street and Marsac rights-of-way are an unbuilt City streets.
9. On May 23, 2001, the Planning Commission approved a conditional use permit application to permit the applicant to construct a private driveway in the platted unbuilt 2nd Street.
10. The proposed driveway easement (the extension of the Ivers Replat private driveway is 30 feet in width.
11. The proposed driveway width is 20 feet.
12. The applicant proposes to dedicate the private driveway easement as a public pedestrian trail easement.

13. The lot sizes and maximum building footprints are:

	<u>Lot Size</u>	<u>Maximum Building Footprint</u>
Lot 1:	12,139 sq. ft.	3,068 sq. ft.
Lot 2:	5,719 sq. ft.	2,078 sq. ft.
Lot 3	7,919 sq. ft.	2,539 sq. ft.

14. The project is located in the Ontario Avenue/Thrill Hill Area. Minimal construction staging area is available in this neighborhood.
15. The physical constraints of the neighborhood including narrow prescriptive easements, unbuilt City rights-of-way on steep slopes, and extensive vegetation limit utility design alternatives for the project.
16. The property is located adjacent to the City-owned Virginia Claim open space.
17. No opposition to the proposed plat amendment and right-of-way vacation have been received at the public hearings.
18. The findings from the analysis section are incorporated herein.

19. The applicant stipulates to all conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 2.1 and Chapter 15 and State subdivision requirements.

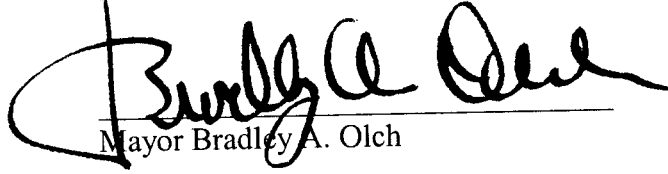
SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, known as the Block 52 Replat is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Execution of a private driveway easement in a form and manner acceptable to the City Engineer and City Attorney is a condition precedent to plat recordation.
3. An acceptable utility plan shall be submitted to and approved by the City Engineer. The power, phone, and cable TV lines may be overhead. A financial guarantee for the installation of public improvements is required.
3. The applicant shall dedicate 488 square feet of the subject property adjacent to the City-owned Virginia claim to the City for open space purposes.
4. This approval shall expire on June 21, 2002, unless this plat amendment is recorded prior to that date.
5. All Standard Project Conditions shall apply.
6. Receipt and approval of a construction mitigation plan (CMP) by the Community Development Department is a condition precedent to the issuance of a building permit. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction-related details to the satisfaction of the Community Development Department.

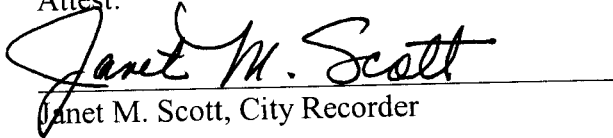
SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 2st day of June, 2001.

PARK CITY MUNICIPAL CORPORATION

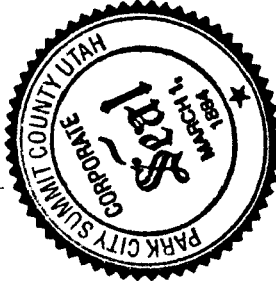

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, JOHN DEMONICO, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 158481, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT BY THE AUTHORITY OF THE COMMISSION, I HAVE PREPARED THIS RECORD OF SURVEY MAP OF BLOCK 52, LOT 1 AND THAT THE SAME HAS BEEN OR WILL BE MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

JOHN DEMONICO _____ DATE _____

LEGAL DESCRIPTION

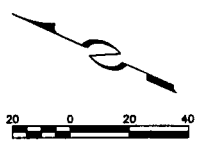
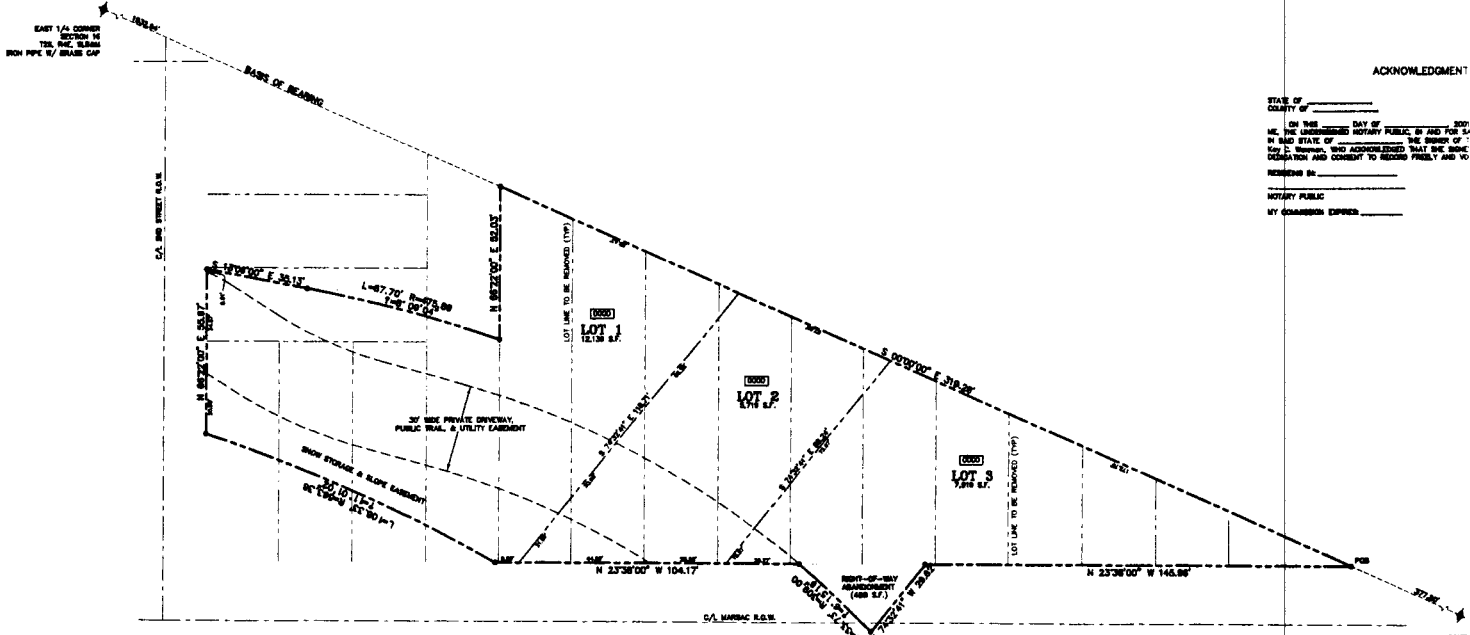
BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 52, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT IDENTIFY ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SANGRE COUNTY UTAH, AND RUNNING THENCE OF ALONG THE WESTERLY LINE BLOCK 52 NORTH 23°58'00" WEST 148.88 FEET; THENCE NORTH 74°51'00" WEST 38.25 FEET TO A POINT ON A 30.00 FOOT CURVE TO THE LEFT; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 33.73 FEET (CURVE BEARS NORTH 19°07'00" EAST) TO A POINT ON SAID WESTERLY BLOCK LINE; THENCE ALONG THE BLOCK LINE NORTH 23°58'00" WEST 104.17 FEET TO A POINT ON A 30.00 FOOT CURVE TO THE LEFT OF WHICH THE RADII BEARS NORTH 84°58'00" WEST AND ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC ONTARIO SPUR LINE AND RUNNING THENCE NORTHERLY ALONG THE ARC OF SAID CURVE AND WESTERLY RIGHT OF WAY LINE 104.23 FEET THROUGH A CENTRAL ANGLE OF 11°07'00" FEET TO A POINT ON THE NORTHERLY LINE OF SAID BLOCK 52; THENCE ALONG THE BLOCK LINE NORTH 89°22'00" EAST 84.57 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC ONTARIO SPUR LINE; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: 1) SOUTH 13°07'00" EAST 38.13 FEET TO A POINT ON A 40.00 FOOT CURVE TO THE RIGHT OF WHICH THE RADII BEARS SOUTH 74°51'00" WEST; THENCE 2) SOUTHERLY ALONG THE ARC OF SAID CURVE 67.70 FEET THROUGH A CENTRAL ANGLE OF 30°07'00" TO A POINT ON THE NORTHERLY LINE OF LOT 11, SAID BLOCK 52; THENCE ALONG THE LOT LINE NORTH 89°22'00" EAST 84.57 FEET TO A POINT ON THE EASTERLY LINE OF BLOCK 52; THENCE ALONG THE BLOCK LINE SOUTH 39.28 FEET TO THE POINT OF BEGINNING. DESCRIBED CONTAINS 0.26 ACRES.

ACKNOWLEDGMENT

STATE OF _____ COUNTY OF _____
 ON THIS _____ DAY OF _____ A.D. 2001, I, _____ NOTARY PUBLIC, IN AND FOR SAID STATE OF _____, THE BIRTH OF _____, _____, AND ACKNOWLEDGED THAT HE SIGNED IN CONSENT TO RECORD FREELY AND VOLUNTARILY AND TO _____
 RECEIVED IN: _____
 NOTARY PUBLIC _____
 MY COMMISSION EXPIRES _____

ACKNOWLEDGMENT

STATE OF _____ COUNTY OF _____
 ON THIS _____ DAY OF _____ A.D. 2001, I, _____ NOTARY PUBLIC, IN AND FOR SAID STATE OF _____, THE BIRTH OF _____, _____, AND ACKNOWLEDGED THAT HE SIGNED IN CONSENT TO RECORD FREELY AND VOLUNTARILY AND TO _____
 RECEIVED IN: _____
 NOTARY PUBLIC _____
 MY COMMISSION EXPIRES _____



LEGEND:
 * INDICATES PROPERTY CORNER TO BE SET
 (0.000) INDICATES STREET ADDRESS ON ONTARIO AVENUE

NOTES:
 1. MAXIMUM BUILDING FOOTPRINT FOR EACH LOT IS CALCULATED PURSUANT TO THE FORMULA CONTAINED IN TITLE 13-LAND MANAGEMENT CODE FOR PARK CITY MUNICIPAL CORPORATION. THE LOT AREA USED IN THIS CALCULATION DOES NOT AND CANNOT USE THE LAND AREA WITHIN ANY OF THE LOTS THAT WAS PREVIOUSLY ONTARIO AVENUE RIGHT-OF-WAY.
 2. THE 30' PRIVATE DRIVEWAY, PUBLIC TRAIL, AND UTILITY EASEMENT SHALL REMAIN OPEN FOR PUBLIC TRAIL ACCESS TO THE EXISTING RAIL SPUR THAT RUNS SOUTH OF EXISTING ONTARIO AVENUE VIA THE PRIVATE DRIVEWAY.
 3. THE HOMEOWNERS SHALL BE RESPONSIBLE TO RAISE MANHOLES TO GRADE IN ACCORDANCE WITH S&SLD SPECIFICATIONS WITHIN PRIVATE DRIVEWAYS AND REBURIAL OF ONTARIO AVENUE IF REQUIRED AT TIME OF CONSTRUCTION.
 4. THE AREAS BETWEEN RECYCLING NETWORKS IS A NON-EXCLUSIVE PUBLIC UTILITY, DRAINAGE, AND SNOW STORAGE EASEMENT.

BLOCK 52
LOT LINE
 SECTION 21, TOWNSHIP 2 SOUTH, RANGE 10 EAST, PARK CITY, SANGRE COUNTY, UTAH



05-12-99 Y:\pca\dwg\env\plot01\0610993

<p>ALLIANCE ENGINEERING INC. P.O. BOX 2644 323 MAIN STREET PARK CITY, UTAH 84060 (435) 648-9467</p>	<p>SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2001 A.D. BY _____ S.B.S.I.D.</p>	<p>PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2001 A.D. BY _____ CHAIRMAN</p>	<p>ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2001 A.D. BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2001 A.D. BY _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2001 A.D. BY _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL APPROVAL AND A COUNCIL THIS _____ BY _____</p>
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EXHIBIT A

Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060



Fee Exempt per Utah Code
Annotated 1953 21-7-2

Ordinance No. 01-23

**AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE PLATTED
MARSAC AVENUE BETWEEN PLATTED FIRST AND SECOND STREETS,
ADJACENT TO LOTS 6 AND 7, BLOCK 52 OF THE PARK CITY SURVEY, PARK
CITY, UTAH**

WHEREAS, the owners of the property known as United Park City Mines Corporation, Leslie Miller, and Kay C. Waxman have petitioned the City Council for approval of a revision to Block 52 of the Park City Survey; and

WHEREAS, the City Council voted on June 21, 2001 to amend portions of Block 52 of the Park City Survey; and

WHEREAS, United Park City Mines Corporation, Leslie Miller, and Kay C. Waxman have petitioned the City Council for a vacation of 488 square feet of platted Marsac Avenue between platted First and Second Streets, adjacent to Lots 6 and 7, Block 52 of the Park City Survey; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 9, and May 23, 2001 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on May 23, 2001 forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 21, 2001 the City Council held a public hearing to receive input on the proposed plat amendment and vacation; and

WHEREAS, it is in the best interest of Park City, Utah to approve the vacation.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The 25,777 square feet (.59 acre) property is in the HR-L District.

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8-168
ALAN SPRIGGS, SUMMIT CO RECORDER
2001 AUG 01 09:53 AM FEE \$1.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

2. The property is located to the south of the Ivers Replat and the 2nd Street right-of-way.
3. The property is currently vacant.
4. The applicant has submitted a plat amendment request which reconfigures 15 full and partial HRL District lots in Block 52 of the Park City Survey into 3 lots of record.
5. The plat amendment also includes a request to vacate 488 square feet of platted unbuilt Marsac Avenue adjacent to Lots 6 and 7, Block 52. Action on street vacation requests are taken by the City Council.
6. Access to the applicants' property is via a proposed extension of a private driveway off of existing Ontario Avenue through the Ivers Replat.
7. The proposed private driveway extension crosses the 2nd Street right-of way and a portion of platted/unbuilt Marsac Avenue.
8. The 2nd Street and Marsac rights-of-way are an unbuilt City streets.
9. Resolution 8-98 sets forth review criteria for the vacation of City rights-of-way.
10. Resolution 8-98 requires the applicant to demonstrate that there is no density increase; the project is compatible with neighborhood; and the City is compensated for the vacated right-of-way.
11. The HRL Zoning District requires minimum lot size of 3,750 square feet.
12. The average lot size of the proposed plat amendment is 8,597 square feet.
13. The Thrill Hill and Rossi Hill neighborhoods are characterized by steep-slope residential properties ranging in size from 3,750 square feet to approximately 37,000 square feet.
14. The applicant agrees to dedicate 488 square feet adjacent to the City-owned Virginia Claim open space to the City as compensation for the vacated Marsac Avenue right-of-way.

SECTION 2. CONCLUSIONS OF LAW. The following Conclusions of Law are hereby adopted.

1. The vacation request is consistent with the City's standards for vacation of public rights-of-way as set forth in Resolution 8-98.
2. No increase in density will result from the right-of-way vacation.
3. The proposed project is compatible with the neighborhood.

4. The City has received satisfactory compensation for the 488 square foot vacation by means of the applicants' dedication of 488 square feet of property adjacent to the City-owned Virginia Claim open space and non-monetary design-related benefits.

5. Neither the public nor any person will be injured by the vacation.

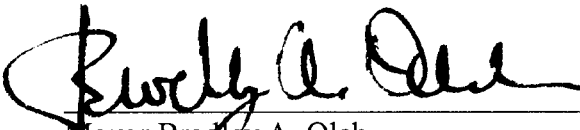
SECTION 3. VACATION APPROVAL. The vacation is approved as shown on Exhibit A with the following conditions of approval.

1. Approval of the vacation shall expire on June 21, 2002, unless the Block 52 Replat is recorded.
2. The applicants shall dedicate to the City 488 square feet of property adjacent to the City-owned Virginia Claim open space for open space purposes.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication. The vacation is effective upon plat recordation.

PASSED AND ADOPTED this 21st day of June, 2001.

PARK CITY MUNICIPAL CORPORATION



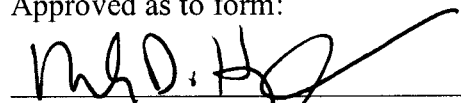
Mayor Bradley A. Olch

Attest:

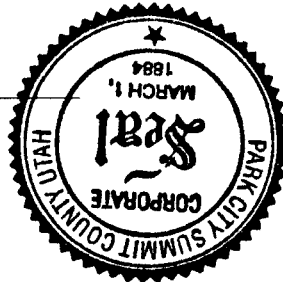


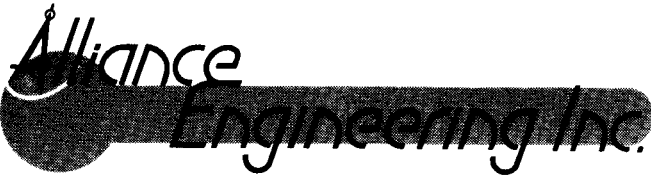
Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





CONSULTING ENGINEERS

LAND PLANNERS

SURVEYORS

LEGAL DESCRIPTION
BLOCK 52 REPLAT
MARSAC AVENUE ABANDONMENT PARCEL

Beginning at a point South 23°38'00" East 203.20 feet from the northwest corner of Block 52, Park City Survey, according to the Official Plat thereof on file and of record in the office of the recorder, Summit County Utah, said point being on the easterly line of platted Marsac Avenue, a public right-of-way; and running thence South 23°38'00" East along said easterly right-of-way line 44.72 feet; thence North 70°39'26" West 30.44 feet to a point on a 308.94 foot radius curve to the left, of which the radius point bears North 67°42'10" West; thence northeasterly along the arc of said curve 32.73 feet through a central angle of 06°04'15" to the point of beginning.

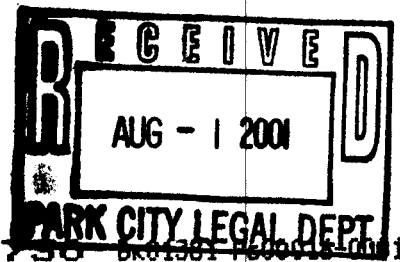
Description contains 488 sq. ft.

LEGAL DESCRIPTION
BLOCK 52 REPLAT
TRADE PARCEL

Beginning at a point South 23°38'00" East 345.28 feet from the northwest corner of Block 52, Park City Survey, according to the Official Plat thereof on file and of record in the office of the recorder, Summit County Utah, said point being on the easterly line of platted Marsac Avenue, a public right-of-way; and running thence North 66°22'00" East 20.66 feet to a point on the easterly line of said Block 52; thence South along said easterly block line 51.55 feet to the southernmost corner of said Block 52; thence North 23°38'00" West along said easterly right-of-way line 47.23 feet to the point of beginning. *PC-430-B*

Description contains 488 sq. ft.

*Block 52
Trade Parcel
PC-430-B*



00592758
ALAN SPRIGGS, SUMMIT CO RECORDER
2001 JUL 05 10:37 AM FEE \$.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**

Ordinance No. 01-22

**AN ORDINANCE ACCEPTING THE LIMITED DEDICATION
OF A PUBLIC STREET TO PROVIDE SHARED ACCESS
TO BLACK DIAMOND LODGE AND DEER CREST IN PARK CITY, UTAH**

WHEREAS, the owners of easements providing access to the Rosewood Hotel portion of Deer Crest and the Black Diamond Lodge have petitioned Park City to accept their offer to dedicate such easements as a public street; and

WHEREAS, the owners are willing to relieve Park City of any and all maintenance obligations of whatever nature; and

WHEREAS, the acceptance of the public street will resolve ongoing questions of access to both Deer Crest and Black Diamond Lodge; and

WHEREAS, it is in the best interest of Park City to comply with the owners' request to accept the offer of dedication;

NOW THEREFORE BE IT ORDAINED by the Park City Council as follows:

SECTION 1. ACCEPTANCE OF PUBLIC STREET Park City hereby accepts as a public street the lands described in Exhibit "A" attached hereto and made a part hereof, subject to the following conditions:

1. All repairs, maintenance, and liability of whatever type or nature, including but not limited to snow removal, paving, re-paving, drainage, construction coordination, and snowmelt device repair, shall be the sole responsibility of the owners of Black Diamond Lodge and Deer Crest, and the owners of the individual parcels and units contained within each of those projects.
2. In the event the City determines that augmented landscaping maintenance is needed on that portion of Powder Run Condominiums common area lying south of the dedicated

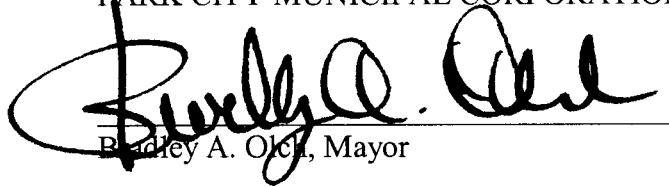
street and therefore separated from the balance of the common area of Powder Run Condominiums, such landscaping maintenance shall be provided by Black Diamond Lodge and Deer Crest, and by the owners of individual parcels and units contained within each of those projects.

3. Improvements within the street described in Exhibit "A" are permitted to encroach within the dedicated street but remain privately-owned and maintained. All improvements shall be constructed in accordance with plans approved by Park City in conjunction with the Black Diamond Lodge and with Deer Crest.
4. Any subsequent amendments to the Powder Run Condominium ROS shall reflect the street dedication.

SECTION 2. EFFECTIVE DATE This ordinance shall take effect upon publication.

PASSED AND ADOPTED this 21st day of June, 2001.

PARK CITY MUNICIPAL CORPORATION


Bradley A. Oick, Mayor

Attest:


Janet M. Scott, City Recorder

Approved as to Form:

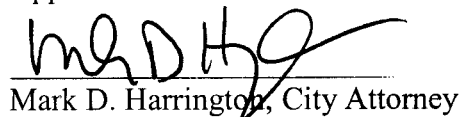

Mark D. Harrington, City Attorney

EXHIBIT A

BLACK DIAMOND-ROSEWOOD

SHARED ACCESS EASEMENT

June 6, 2001

A 30.00 foot wide shared access easement lying 15.00 feet each side of the center line more particularly described as follows:

Beginning at a point on the Easterly Line of Deer Valley Drive East, said point being South 2983.91 feet and East 4025.95 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 00°30'11" West 2630.02 feet between said Quarter Corner and the Southeast Corner of said Section 16); and running thence South 71°45'39" East 19.75 feet to a point of curvature of a 67.13 foot radius curve to the left, the center of which bears North 18°14'01" East; thence Northeasterly along the arc of said curve 51.38 feet through a central angle of 43°50'56" to a point of reverse curvature of a 39.00 foot radius curve to the right, the center of which bears South 25°37'15" East; thence Easterly along the arc of said curve 99.19 feet through a central angle of 145°43'32"; thence South 30°06'17" West 64.43 feet to a point of curvature of a 184.50 foot radius curve to the left, the center of which bears South 59°53'43" East; thence Southwesterly along the arc of said curve 62.24 feet through a central angle of 19°19'38"; thence South 10°46'39" West 226.73 feet to the North Line of Black Diamond Lodge at Deer Valley, a Utah Condominium Project, recorded October 27, 2000 as Entry No. 575647 on file at the Summit County, Utah, Recorder's Office and the point of terminus.

PC 5-11
EII-

JJC#288.0100

June 7, 2001/b.olsen

00592730 Bk01381 Pg00018

UNIFORM RECORDATION SYSTEM
PARCEL OWNERSHIP SEARCH

LN	ACCOUNT-SQ	SERIAL NUMBER	OWNER NAME	ACRES	YR
	0375216-99	BDL-111	BLACK DIAMOND LODGE LLC	.00	01
02	0375224-99	BDL-112	BLACK DIAMOND LODGE LLC	.00	01
03	0375232-99	BDL-121	BLACK DIAMOND LODGE LLC	.00	01
04	0375240-99	BDL-122	BLACK DIAMOND LODGE LLC	.00	01
05	0375257-99	BDL-131	BLACK DIAMOND LODGE LLC	.00	01
06	0375265-99	BDL-132	BLACK DIAMOND LODGE LLC	.00	01
07	0375273-99	BDL-141	BLACK DIAMOND LODGE LLC	.00	01
08	0375281-99	BDL-211	BLACK DIAMOND LODGE LLC	.00	01
09	0375299-99	BDL-221	BLACK DIAMOND LODGE LLC	.00	01
10	0375307-99	BDL-222	BLACK DIAMOND LODGE LLC	.00	01
11	0375315-99	BDL-223	BLACK DIAMOND LODGE LLC	.00	01
12	0375323-99	BDL-231	BLACK DIAMOND LODGE LLC	.00	01
13	0375331-99	BDL-232	BLACK DIAMOND LODGE LLC	.00	01
14	0375349-99	BDL-241	BLACK DIAMOND LODGE LLC	.00	01

1 = Browse Down

2 = Browse Up

3 = Select Line to View Detail

4 = Select Line to Print Name/Address

5 = Print All Names/Addresses Displayed

6 = Return to Parcel Owner Query Menu

Select:



Ordinance No. 01-21

**AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE THE
NORTHERLY ½ OF LOT 20 AND ALL OF LOT 21 OF BLOCK 5 OF THE PARK CITY
SURVEY INTO ONE (1) PLATTED LOT**

WHEREAS, the owners, Floyd and Elaine English, of the property known as 581 Park Avenue, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on June 13, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate one lot and a portion of another into one lot of record; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1).
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. The amendment will consolidate the north ½ of lot 20 and all of lot 21 of Block 5 of the Park City Survey into one (1) platted lot to allow for an addition to the historic structure.
4. The Planning Commission reviewed the proposed plat amendment and forwarded a positive recommendation to the City Council at its meeting on June 13, 2001.
5. The proposed lot size will be 2,812 square feet.
6. The project is on Park Avenue with dense residential uses. Minimal construction staging area is available along Park Avenue.
7. The existing structure is historic.
8. No remnant lots will be created by this plat amendment.
9. The plat amendment will not increase density on the lot.
10. Staff will review the applicant's proposed modifications to the existing historic single family house upon the submission of a Historic District Design Review application.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code, General Plan and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

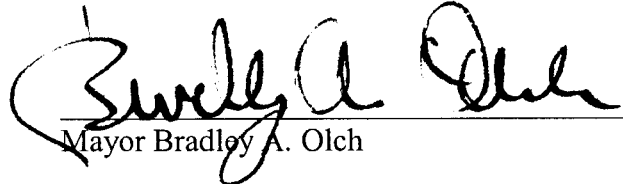
SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The proposed construction of improvements to the existing single family home shall require compliance with the Historic District Design Guidelines.
3. No additional density is allowed as a result of this plat amendment.
4. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.
5. No further subdivision of the property is allowed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.


PASSED AND ADOPTED this 21st day of June, 2001.

PARK CITY MUNICIPAL CORPORATION



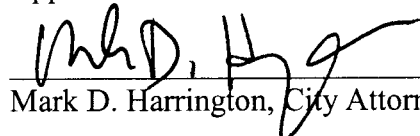
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

EXHIBIT A

RECEIVED
MAY 16 2001
PARK CITY
PLANNING DEPT.

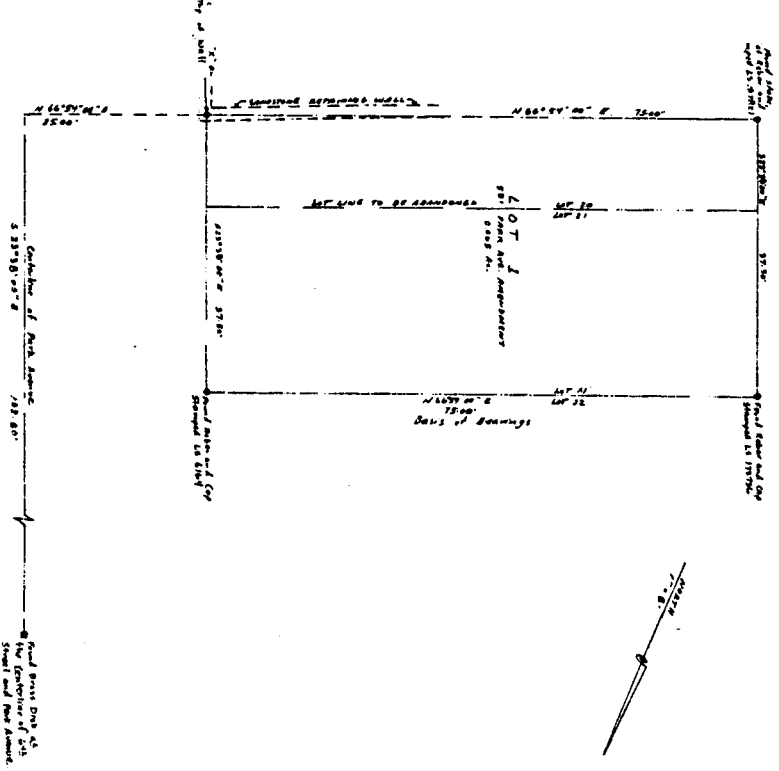
PLAT AMENDMENT AND RECORD OF SURVEY 581 PARK AVENUE AMENDMENT

NOTICE: Enclosure map contains no areas shown all over by these parties. Said plat, filed in English and signed by English, the owner of the above described property, has been filed for record in the office of the County Clerk of Park County, Utah, and the plat to be prepared, and all the books contained in the resolution of this survey and plat amendment.

AGREEMENT: I, English, personally appeared before me, the undersigned, a Notary Public in and for the State of Utah, on the _____ day of _____, 2001, and stated that she is the owner of the above described property, and that she signed the above survey, plat amendment and consent to record freely and voluntarily.

Witness my hand and the seal of my office this _____ day of _____, 2001.

Notary Public _____
My Commission Expires _____ Residing at _____



PERSONAL REPRESENTATION:
I, the Notary, do hereby certify that I am a Notary Public in and for the State of Utah, and that I am duly qualified to perform the duties of my office. I have made a search of the records of the County Clerk of Park County, Utah, and have found that the above described property, and that the survey, plat amendment and consent to record were duly and lawfully made.

WITNESS MY HAND AND SEAL OF MY OFFICE THIS _____ DAY OF _____, 2001.

Notary Public _____
My Commission Expires _____ Residing at _____



Approved by the Board of City Engineers
Approved by the Planning Commission
Approved by the Park City Engineer
Approved by the City Attorney
Approved by the City Attorney
Approved by the City Attorney
Approved by the City Attorney

Land Surveying
UT 8900



ORDINANCE 01-20

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 8A
REGULATING PUBLIC OUTDOOR MUSIC PLAZAS**

WHEREAS, the City Council held work sessions with public input concerning public outdoor music plazas on March 19, 2001, and May 3, 2001;

WHEREAS, the City Council on May 10, 2001 passed and adopted Ordinance 01-16, regulating public outdoor music plazas for the summer of 2001;

WHEREAS, Ordinance 01-16 approved Deer Valley, Near McHenry's Grill as a public outdoor music plaza;

WHEREAS, the May 10, 2001 Staff Report discussed and included approved operational days for the McHenry's Grill plaza as Wednesday, Thursday, Friday, Saturday, and Sunday, but Ordinance 01-16 as passed and adopted by City Council inadvertently omitted Friday from the list of approved operational days; and

WHEREAS, Mountain Town Stages, the licensee, noted the omission and requested correction.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, AS FOLLOWS:

SECTION 1. AMENDMENT. Title 4, Chapter 8A of the Municipal Code of Park City is hereby amended as follows:

4- 8A- 6. PUBLIC OUTDOOR MUSIC PLAZAS.

The following locations, dates, and times may be programmed by Mountain Town Stages for public performances and outdoor music:

(A) **PARTY ON THE PLAZA.**

- (1) **LOCATION.** On Summit Watch Plaza between Dynamite Dom's and Picasso's. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Tuesdays, Fridays, and Saturdays from 5:00 PM to 8:00 PM from June 12th through September 30th. A timer device will be installed that shuts the power of the stage and sound system off at 8:00 PM .

(3) **TYPE OF MUSIC.** Amplified and Acoustic. For Amplified Events or Music on Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty five (25) feet in front of the stage.

(4) **SPECIAL EVENTS.** This Public Outdoor Music Plaza may also be programmed for a maximum of four (4) additional week-nights during the summer for special events from 5:00 PM to 8:00 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

(B) **DEER VALLEY NEAR MCHENRY'S GRILL.**

(1) **LOCATION.** Deer Valley near McHenry's Grill. Approved plans are on file with the Special Events Department.

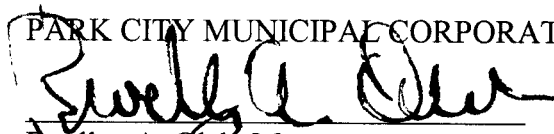
(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Wednesdays, Thursdays, Fridays, Saturdays, and Sundays from 11:30 AM to 2:30 PM, from June 27th through September 9th. A timer device will be installed that shuts the power of the stage and sound system off at 2:30 PM .

(3) **TYPE OF MUSIC.** Amplified and Acoustic.

(4) **SPECIAL EVENTS.** This Public Outdoor Music Plaza may also be programmed for a maximum of four (4) additional weekdays during the summer for special events from Noon to 6:00 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 21st day of June, 2001.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attest:

Janet M. Scott
Janet M. Scott, City Recorder

Approved as to Form:

Mark D. Harrington
Mark D. Harrington, City Attorney





Ordinance No. 01-19

**ORDINANCE ESTABLISHING COMPENSATION
FOR THE MAYOR AND CITY COUNCIL FOR FISCAL YEAR 2001 - 2002
IN PARK CITY, UTAH**

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, according to state law, a public hearing was duly advertised and held on June 21, 2001;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park City, Utah that:

SECTION 1. COMPENSATION FOR MAYOR AND CITY COUNCIL

ADOPTED: The following salary levels are hereby adopted:

	<u>FY 2001-2002</u>
Mayor	\$1,526.25 per month
City Council	\$ 899.00 per month

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 21st day of June, 2001

PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

Attest:

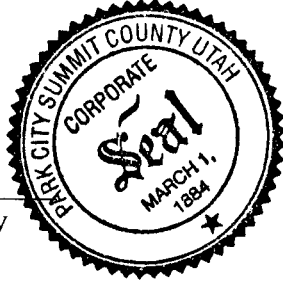
Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington

Mark D. Harrington, City Attorney





Ordinance No. 01-18

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE LOTS 10, 11, 12, 13, 37, 36 AND 35 OF BLOCK 5 OF THE PARK CITY SURVEY INTO ONE (1) PLATTED LOT.

WHEREAS, the owners, James and Deborah Christensen, of the property known as 543 Park Avenue, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on May 24, 2000 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to consolidate one lot and a portion of another into one lot of record; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1).
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. The amendment will consolidate lots 10, 11, 12, 13, 37, 36 and 35 of Block 5 of the Park City Survey into one (1) platted lot to allow the renovation of an existing non-historic garage.
4. The proposed lot size will be 13,175 square feet.
5. The project is on Park Avenue with dense residential uses. Minimal construction staging area is available along Park Avenue.
6. A neighboring historic structure encroaches one foot onto the north side yard lot 13.
7. An encroachment easement was granted for the neighboring residence, and recorded at the county on January 9, 2001.
8. The garage has a side yard setback of four feet (4').
9. The required side yard setback for the garage is three feet (3').
10. The garage is not historic.
11. The Washington School Inn is historic.
12. The plat amendment will not increase density on the lot.
13. Staff will review the applicant's proposed modifications to the existing non-historic garage upon the submission of a Historic District Design Review application.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The proposed construction of improvements to the existing garage shall require compliance with the Historic District Design Guidelines.
3. No additional density is allowed as a result of this plat amendment.
4. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.
5. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of the garage renovation.
6. No further subdivision of the property is allowed.

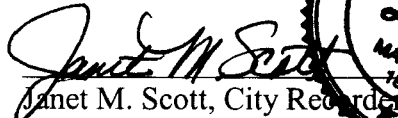
SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 7th day of June, 2001.

PARK CITY MUNICIPAL CORPORATION

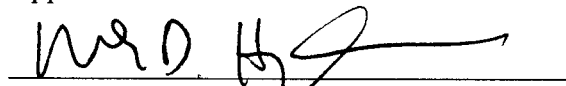

Mayor Bradley A. Olch

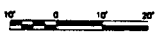
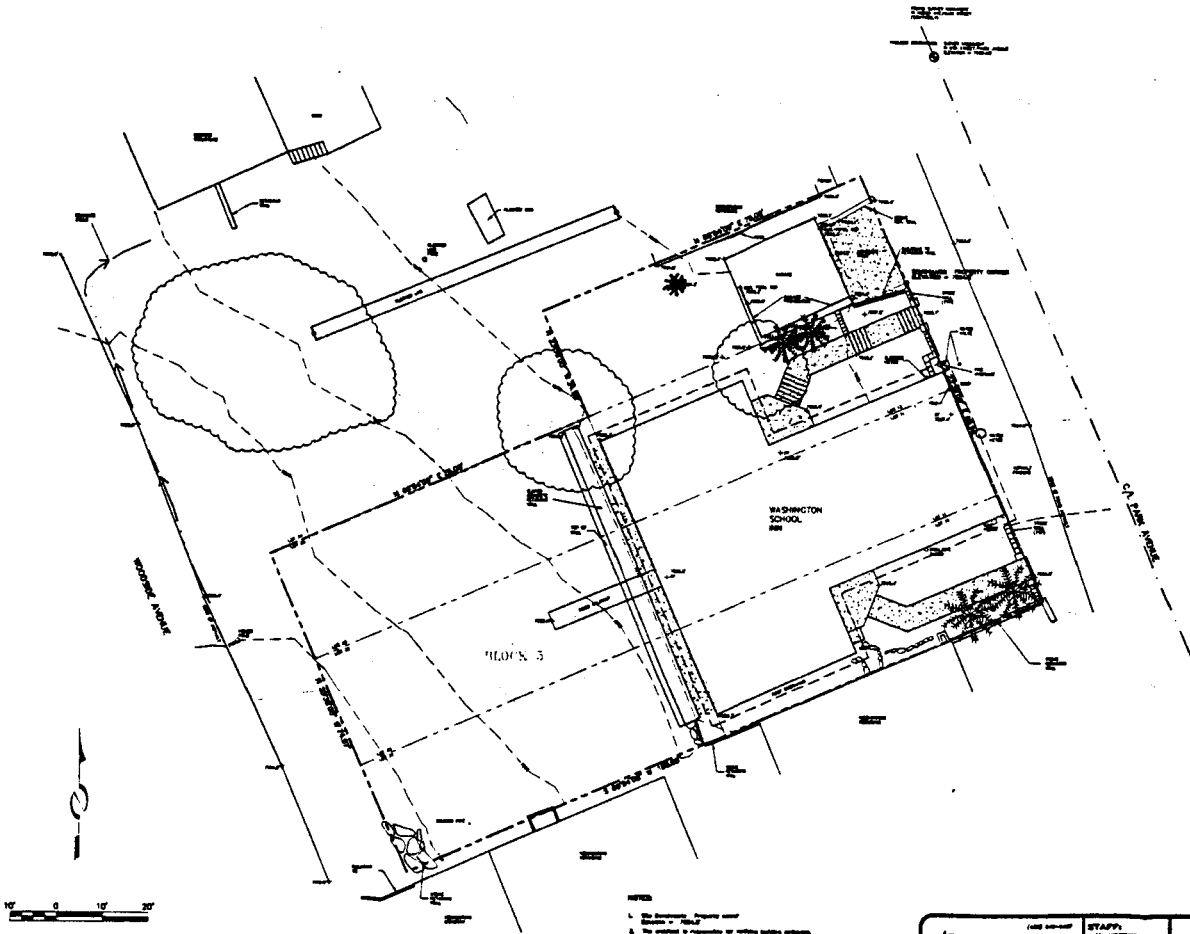
Attest:


Janet M. Scott, City Recorder



Approved as to form:


Mark D. Harrington, City Attorney

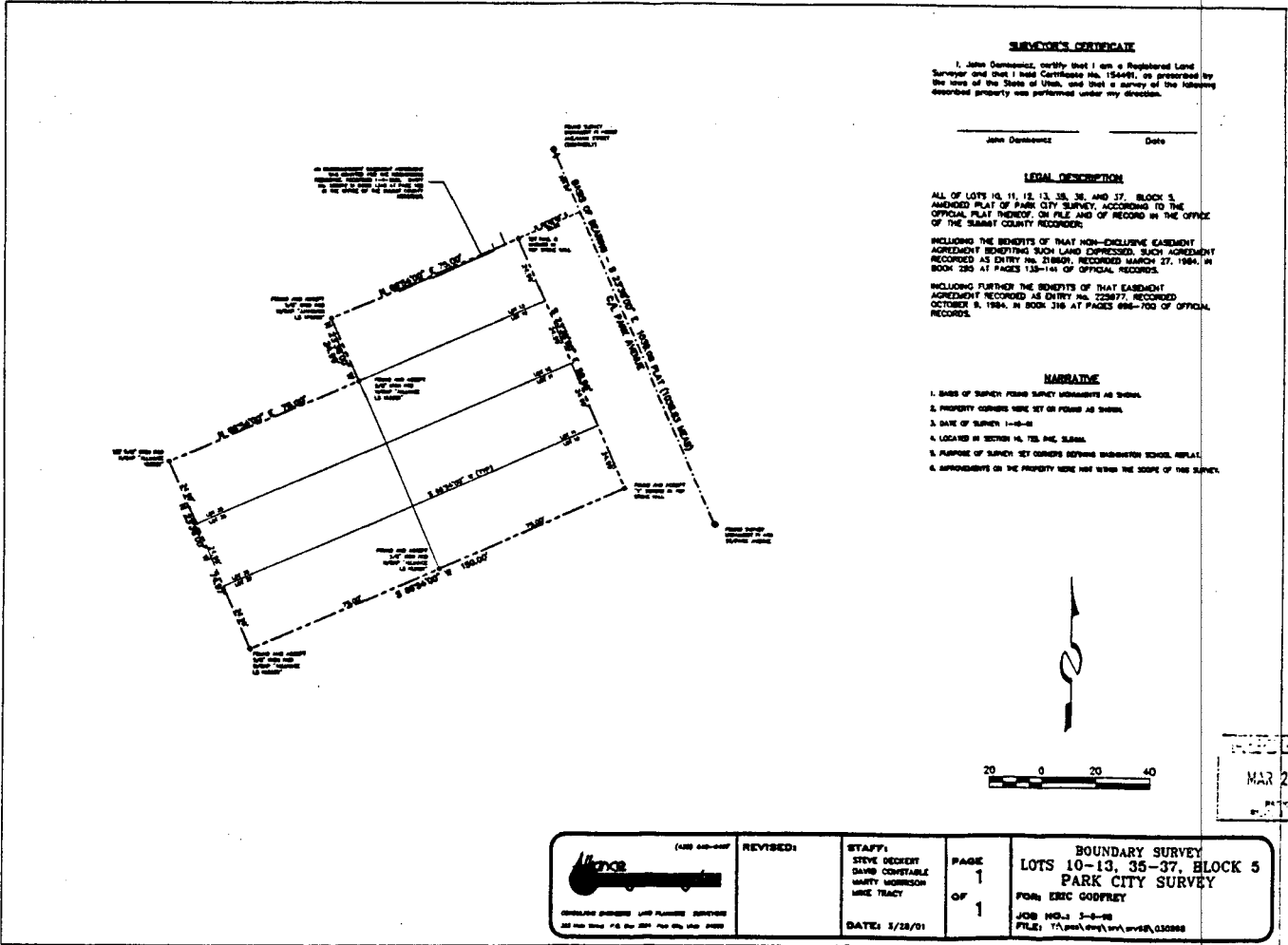


- NOTES
1. See drawings for general notes.
 2. See notes on drawings for existing building conditions.
 3. See notes on drawings for existing site conditions.
 4. See notes on drawings for existing site conditions.
 5. See notes on drawings for existing site conditions.

RECEIVED
 MAR 21 2001
 PLANNING DEPARTMENT

	STAFF: M. [Name] T. [Name]	WASHINGTON SCHOOL DR EXISTING CONDITIONS PLAN LOTS 10-13, LOTS 35-37, BLOCK 5, PCS	SHEET 1 OF 1
	DATE: 5/1/01	FORM: P.C.E. JOB: 001-1-0-01 FILE: 001-1-0-01	

Exhibit A



SURVEYOR'S CERTIFICATE

I, John Demme, certify that I am a Registered Land Surveyor and that I had Certificate No. 154491, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

John Demme Date

LEGAL DESCRIPTION

ALL OF LOTS 10, 11, 12, 13, 35, 36, AND 37, BLOCK 5, AMENDED PLAT OF PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SEAMST COUNTY RECORDER, INCLUDING THE BENEFITS OF THAT NON-EXCLUSIVE EASEMENT AGREEMENT DESCRIBING SUCH LAND EXPRESSED, SUCH AGREEMENT RECORDED AS ENTRY NO. 218801, RECORDED MARCH 27, 1984, IN BOOK 290 AT PAGES 138-141 OF OFFICIAL RECORDS, INCLUDING FURTHER THE BENEFITS OF THAT EASEMENT AGREEMENT RECORDED AS ENTRY NO. 228477, RECORDED OCTOBER 8, 1984, IN BOOK 316 AT PAGES 696-700 OF OFFICIAL RECORDS.

NARRATIVE

1. SHED OF SURVEY FROM SURVEY MONUMENTS AS SHOWN.
2. PROPERTY CORNERS WERE SET OR FOUND AS SHOWN.
3. DATE OF SURVEY 1-8-85
4. LOCATED IN SECTION 16, T8S, R10E, S88M.
5. PLUMBING OF SURVEY SET CORNERS BEYOND WASHINGTON SCHOOL REPLAT.
6. APPROXIMATE ON THE PROPERTY WERE NOT WITHIN THE SCOPE OF THE SURVEY.

RECORDED
MAR 23 2001
PARK CITY
COUNTY CLERK

	(1:500 400'-100')	REVISOR:	STAFF:	PAGE	BOUNDARY SURVEY LOTS 10-13, 35-37, BLOCK 5 PARK CITY SURVEY FOR: ERIC GODFREY JOB NO.: 3-8-85 FILE: TA\proj\er\m\m\er\er\030988
	CONSULTING ENGINEER LAND PLANNING SURVEYOR 222 West Street, P.O. Box 2071, Park City, Utah 84060			STEVE DECKER DAVE COMSTABLE MARTY MORRISON MIKE TRACY	
			DATE: 1/28/01		

Exhibit B

SURVEYOR'S CERTIFICATE

I, John Peterson, certify that I am a Registered Land Surveyor and that I had Certificate No. 124492, as authorized by the State of Utah, and that the Lot Line Amendment Plat was prepared under my direction in accordance with the requirements of the Park City Assessor Corporation. I further certify that the plat boundaries reproduce the surveyed property.

John Peterson Date

LEGAL DESCRIPTION

All of LOTS 10, 11, 12, 13, 20, 26, and 27, BLOCK 5, AMENDED PLAT of Park City Spring, according to the Official Plat thereof, on file and of record in the Office of the Salt Lake County Recorder.

FOLLOWING the benefits of that non-ambulatory Easement Agreement bearing such last mentioned, and approved recorded on Entry No. 218066, recorded March 27, 1984, in Book 268 of Pages 130-146 of Official Records.

FOLLOWING FURTHER the benefits of that easement Agreement recorded on Entry No. 228577, recorded October 6, 1984, in Book 270 of pages 465-708 of Official Records.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that PCE, a California Limited Partnership, as the undersigned owner of the herein described tract of land to be shown hereon as THE WASHINGTON SCHOOL, has REPLIC and hereby certifies that it has received the Lot Line Amendment Plat in its proper form, PCE hereby consents to the recording of the Lot Line Amendment Plat.

ALSO, the owner of said representation, hereby irrevocably offers for acceptance, public use and dedication of the herein described tract of land and the herein described easement and the herein described plat to the public and consents to the recording of the herein described plat and the herein described easement in accordance with the provisions of the Utah Public Use Act.

In witness whereof, the undersigned and he signed this _____ day of _____ 2001.

PCE, a California Limited Partnership

By Frank O'Byrne
The General Partner

ACKNOWLEDGMENT

State of Utah
County of Summit

On this _____ day of _____ 2001, Frank O'Byrne personally appeared before me, the undersigned Notary Public, in and for the County of Summit, State of Utah, who being duly sworn, acknowledged to me that he is the General Partner of PCE, a California Limited Partnership, and that the foregoing instrument was signed as a matter of valid Partnership by authority of the Partners of said Partnership, and that Frank O'Byrne, duly acknowledged to me and used Partnership intended the same and that he signed the same Owner's Dedication irrevocably.

Notary Public _____

My commission expires _____



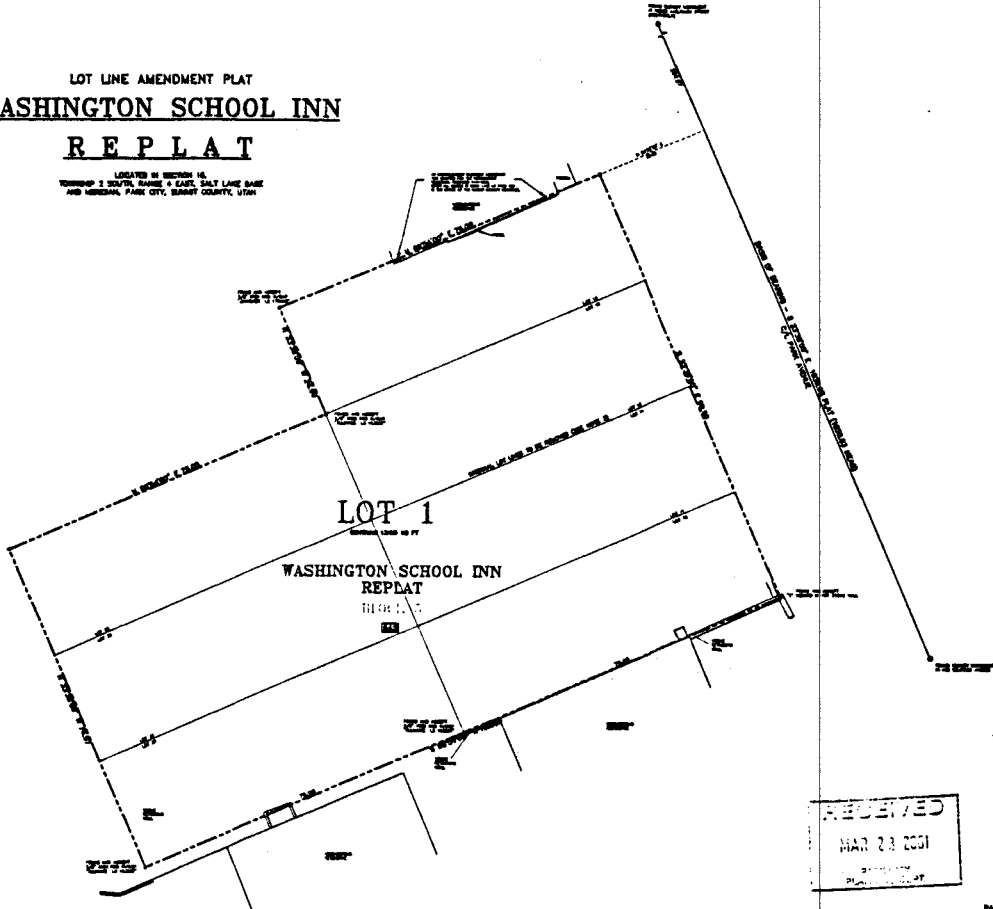
10 0 10 20

- NOTES**
- The actual address of the property is 600 West Valley Blvd.
 - SEE Block section.
 - Lot line between lots 10-12 and 20-27 are to be retained.
- LEGEND**
- An existing easement with 50' fee and fee and other notes
 - Easement property owned by owner
 - Easement survey indicated

Park Avenue

LOT LINE AMENDMENT PLAT
WASHINGTON SCHOOL INN
REPLAT

LOCATED IN SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASIN
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



RECEIVED
MAR 23 2001
PLANNING DEPT

<p>SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2001 A.D. BY _____ S.E.S.L.O.</p>	<p>PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2001 A.D. BY _____ CHAIRMAN</p>	<p>ENGINEERS CERTIFICATE I FURNISH THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2001 A.D. BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2001 A.D. BY _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2001 A.D. BY _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2001 A.D. BY _____ MAYOR</p>	<p>RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FILE RECORDER</p>
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Exhibit C



Ordinance No. 01-17

**AN ORDINANCE APPROVING A COMPREHENSIVE
AND SUBSTANTIVE RE-WRITE OF THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, SPECIFICALLY FOR:
CHAPTER 3- PLANNING COMMISSION,
CHAPTER 5- BOARD OF ADJUSTMENT, AND
CHAPTER 15- SUBDIVISION GENERAL PROVISIONS AS
RENUMBERED AND INCLUDED IN THE BODY OF THE
MUNICIPAL CODE AS FOLLOWS:
CHAPTER 3 BECOMES TITLE 15, CHAPTER 12
CHAPTER 5 BECOMES TITLE 15, CHAPTER 10
CHAPTER 15 BECOMES TITLE 15, CHAPTER 7**

WHEREAS, the Land Management Code is designed and enacted to implement the objectives of the Park City General Plan; to protect the general health, safety, and welfare of Park City's citizen's and property owners; to maintain the quality of life and experience for its residents and visitors; and to preserve the community's unique character and values;

WHEREAS, in January of 1998 the City Council directed staff to undertake a comprehensive and substantive re-write of the Land Management Code;

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code to reorganize the document's structure, clarify and resolve inconsistencies, update regulations to be consistent with the General Plan, and provide self-contained (user-friendly) Chapters;

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, on February 28 and March 28, 2001 and forwarded to City Council a positive recommendation on Chapters 3, 5, and 15;

WHEREAS, the City Council duly noticed and conducted public hearings at its regularly scheduled meetings on April 26 and May 17, 2001; and

WHEREAS it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the General Plan and the values and identified goals of the Park City community, to protect health and safety, to maintain the quality of life for its residents; and to preserve the community's unique character.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENT TO CHAPTER 3 OF THE LAND MANAGEMENT CODE. Chapter 3 is hereby deleted and replaced by LMC Title 15, Chapter 12 attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 3 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 12 shall be defined in accordance with the LMC, Title 15, Chapter 15.

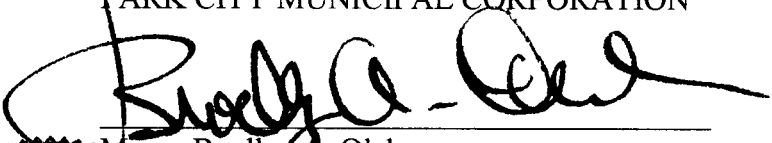
SECTION 2. AMENDMENT TO CHAPTER 5 OF THE LAND MANAGEMENT CODE. Chapter 5 is hereby deleted and replaced by LMC Title 15, Chapter 10 attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 5 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 10 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 3. AMENDMENT TO CHAPTER 15 OF THE LAND MANAGEMENT CODE. Chapter 15 is hereby deleted and replaced by LMC Title 15, Chapter 7 attached hereto as Exhibit C. Any conflicts or cross-references from other provisions of the LMC to Chapter 15 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 7 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 17th day of May 2001

PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

Attest:


Janet M. Scott,



Approved as to form:


Mark D. Harrington, City Attorney

PARK CITY MUNICIPAL CODE
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15-10-34. ABSENCE DEEMED RESIGNATION OR GROUNDS FOR REMOVAL.

Any Board member who is absent for two (2) consecutive regularly scheduled meetings, or a total of four (4) regularly scheduled meetings per year may be called before the City Council and asked to resign or be removed for cause by the Mayor, with the advice and consent of City Council. Additionally, the Mayor, with the advice and consent of City Council, may remove any member of the Board of Adjustment for cause if written charges are filed against the member with the Mayor. The Mayor shall provide the member with a public hearing if the member requests one.

15-10-45. ORGANIZATION.

(A) **CHAIRMAN.** The Board of Adjustment shall elect a Chairman and may adopt such rules for its own proceedings as are deemed necessary.

(B) **QUORUM.** No business shall be conducted unless at least three members of the Board, not counting the alternate, are present.

15-10-56. MEETINGS.

Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine.

~~(A) WITNESSES.~~ The Chairman of the Board of Adjustment or in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses at such meetings, and all meetings shall be open to the public. comply with Title 52, Chapter 4 (Open and Public Meetings) of the Utah Code, as amended.

~~(B) MINUTES.~~ Written minutes shall be kept of all Board meetings. Such minutes shall include:

- ~~(1) The date, time and place of the meeting.~~
- ~~(2) The names of members present and absent.~~
- ~~(3) The substance of all matters proposed, discussed, or decided, and a record, by individual member, of votes taken.~~
- ~~(4) The names of all citizens who appeared and the substance in brief of their testimony.~~
- ~~(5) Any other information that any member requests be entered in the minutes.~~

The minutes are public records and shall be available within a reasonable time after the meeting.

~~The Board shall keep minutes of its proceedings showing the roll call of votes upon all questions or, if a member is absent or fails to vote, indicating such fact, and~~

15-10-78 SPECIAL EXCEPTIONS.

The Board may hear applications for special exceptions to the terms of ~~this Code~~ the Land Management Code which apply to variances, modifications of non-conforming uses, appeals and other matters upon which the Board is required to pass judgment ~~under this Code~~. Applications for special exceptions must be filed with the Community Development Department, and the required fee paid in advance. No application for a special exception shall be approved unless the Board of Adjustment shall determine that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below:

- (1) The proposed use and development will be in harmony with the general and specific purposes for which the Land Management Code was enacted and for which the regulations of the district were established.
- (2) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.
- (3) The proposed Use and Development will not have a material adverse effect upon the character of the area or the public health, safety, and general welfare.
- (4) The proposed special exception will be constructed, arranged and operated so as to be compatible with

the use and development of neighboring property in accordance with the applicable district regulations.

- (5) The proposed Use and Development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.
- (6) The proposed Use and Development will not cause material air, water, soil or noise pollution or other types of pollution.

The Board of Adjustment may impose conditions and limitations as may be necessary or appropriate to prevent or minimize adverse effects upon other property and other improvements in the vicinity of the special exception or upon public facilities and services. These conditions may include but are not limited to: conditions concerning use, construction, operation, character, location, landscaping, screening and other matters relating to the purposes and objectives of ~~this title~~ the Land Management Code. Such conditions shall be expressly set forth in the motion granting the special exception. Violation of any such condition or limitation shall be a violation of this section and shall constitute grounds for revocation of the special exception.

15-10-79. VARIANCE.

- (A) Any person or entity desiring a waiver or modification of the requirements of the ~~zoning ordinance~~ Land Management Code as applied to a parcel or property that he/she

PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 10 - Board of Adjustment
15-10-6

property under Subsection 15-10-9(C)(2), the Board of Adjustment may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprive the property of privileges granted other properties in the same district.

(F) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

(G) Variances run with the land.

~~(H)~~ However, the The Board of Adjustment may condition a variance by requiring the owner to obtain a building or other necessary permit within one year of issuance of the variance, or the variance shall be null and void.

~~(I)(H)~~ The Board of Adjustment and any other body may not grant use variances.

~~(J)(H)~~ In granting a variance, the Board of Adjustment may impose additional requirements on the applicant that will:

- (1) mitigate any harmful affects of the variance; or
- (2) serve the purpose of the standard or requirement that is waived or modified.

15-10-810. PERSONS ENTITLED TO APPEAR.

At the hearing on any matter before the Board of Adjustment, any person aggrieved or interested in the matter may appear in

person or through his attorney to testify on the matter. The Applicant shall have the right to respond to testimony offered in opposition to the application.

15-10-911. DECISION.

Decisions of the Board of Adjustment become effective at the meeting in which the Board adopts written findings of fact, conclusions of law and conditions of approval, unless a different time is specifically designated by the Board.

15-10-1012. VOTE NECESSARY.

The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, or determination of any such administrative official, ~~or board, or~~ commission, or to decide in favor of the Applicant ~~on any matter upon which it is required to pass under any such ordinance or to grant a variance or special exception.~~

15-10-1113. JUDICIAL REVIEW OF BOARD DECISION.

The City or any person aggrieved adversely affected by any decision of the Board of Adjustment may petition ~~have and maintain a plenary action for relief therefrom in the District Court in Summit County for a review of the decision. In the petition, the plaintiff may only allege that the Board of Adjustment's decision was arbitrary, capricious, or illegal. The petition is barred unless it is filed within 30 days after the Board of Adjustment's decision is filed with the City Recorder.~~ provided a petition for such relief is presented to the court within

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Planning Commissions pursuant to Chapter 9 of Title 10, Utah Code Annotated, 1953, as amended, and such other powers as are conferred on it by the City Council.

15-12-6. CHAIRMAN.

The Planning Commission shall on or before the second Wednesday in March each year elect a Chairman who shall serve a term of one year, but may be re-elected for one succeeding consecutive term. A person may not serve more than two consecutive terms as Chairman of the Planning Commission. The Chairman may participate in discussions, but shall have no vote except in case of a tie vote by the members of the Commission.

15-12-7. STAFF.

The Community Development Department shall assist the Commission with technical matters. In order to assist the Planning Commission in carrying out its duties, the Planning Commission may request the assistance of other employees or agents of the City.

15-12-8. ALLOWANCE. The Planning Commission members shall receive an allowance for each meeting attended, as established by the City Council.

15-12-9. PURPOSES.

The Planning Commission ~~is intended to~~ shall act as a non-political, long range planning body for the city. Review of specific projects shall be limited to those

matters specifically requiring their consideration, and to the monitoring and reviewing of the decisions of the Community Development Department. The Planning Commission shall review those matters designated in ~~Section 1-15~~. Section 15-12-15 herein.

15-12-10. HEARINGS.

The Planning Commission shall establish procedures for its own hearings governing presentations of projects and public responses, and public impact or comment on specific projects or general issues. Notice for all agenda items pending action shall be according to the Notice Matrix as stated in Section 15-1-19.

15-12-11. MINUTES.

The Planning Commission shall keep official minutes of its meetings, which shall be permanently stored with the City Recorder. All meetings shall comply with Title 52, Chapter 4 (Open and Public Meetings) of the Utah Code, as amended.

(A) **MINUTES.** Written minutes shall be kept of all Commission meetings. Such minutes shall include:

- (1) The date, time and place of the meeting.
- (2) The names of members present and absent.
- (3) The substance of all matters proposed, discussed, or decided, and a record, by individual member, of votes taken.

- Termination of inactive applications; and
- ~~review of trams and lifts outside the ROS and Estate Zones.~~
- Sensitive Lands Review

The scope of review for each of these functions is as follows:

(A) **CITY COMPREHENSIVE GENERAL PLANNING REVIEW.** The Planning Commission shall have the primary responsibility to initiate and update the City's General Plan ~~long-range master planning for the City~~, including planning for adequate streets and utilities, parks, trails, and recreation facilities, housing, and open space. The Commission shall consider long-range zoning and land use objectives, protection of sensitive lands, and shall conduct periodic review of existing plans to keep them current. The Commission shall review all proposed annexations to the City and shall recommend action and zoning on land to be annexed. ~~A member of the Community Development Department shall be designated to work with the Commission in this long-range planning function.~~

(B) **ANNEXATION REVIEW.** The Commission shall review all annexation requests according to the Utah State Code regarding annexations, including Section 10-2-401.5, regarding adoption of an Annexation policy plan, and shall make a recommendation to City Council for action.

(C) **LAND MANAGEMENT CODE AND ZONING REVIEW.** The Commission shall initiate or recommend zone changes and review the

Land Management Code development standards within zones. The Commission shall hear all requests for zone changes and forward a recommendation to City Council for action.

(D) **SUBDIVISION APPROVAL.** The Planning Commission shall review all applications for Subdivisions under the provisions of the Park City Subdivision Control Ordinance in Section 15, Chapter 7.

(E) **LARGE SCALE MASTER PLANNED DEVELOPMENT APPROVAL.** All proposals for Large Scale Master Planned Development approval shall be reviewed by the Planning Commission. ~~An application must be filed with the Community Development Department on a form established by the Community Development Department. Payment of all applicable fees shall accompany the application. as described in Chapter 10. Large Scale Master Planned Developments planning shall be required in all zones, except in all Historic District zones, for developments include those departments which propose proposing more than 6 lots; for all hotel and lodging projects with more than 15 rooms or units, and for all commercial and industrial projects proposing more than 10,000 square feet of gross floor area. more than 50 Unit Equivalents and/or 15% or more of the floor area, The floor area is exclusive of parking for non-residential use.~~ In reviewing requests for Large Scale Master Planned Development approval, the Commission shall consider the Purpose Statements and MPD Requirements as stated in Section 15-6-1 and Section 15-6-5. All Master Planned Developments shall be processed by the

Commission may approve, disapprove, or modify and approve the request for Large Scale Master Planned Development approval. The approval process shall establish the following items:

- (a) designation of land uses within the project area;
- (b) designation of identifiable development parcels within the total project area. These development parcels are not required to be divided or platted as subdivision lots; but may be designated on maps as a part of the approval with a final legal description of the parcels to be required at the time each is developed or sold, leased, or otherwise transferred or separated from the whole tract;
- (c) designation of the land use or mixture of uses for each development parcel;
- (d) designation of density ranges in Unit Equivalents for each development parcel identified;
- (e) designation of the order of development to ensure economical expansion of City services;

- (f) designation of specific conditions to the development of any parcels which are by their nature more subject to development constraints than the typical parcel in the proposed development;
 - (g) designation of density transfers from one parcel to another, if any;
 - (h) whether or not there will be commercial uses on all or some of the development parcels identified, and if so, the specific parcels that will include commercial uses;
 - (i) the general architectural theme and character of the overall development.
- (2) **LENGTH OF APPROVAL:** The Large Scale Master Planned Development approval granted by the Planning Commission shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Approval will lapse after two years of inaction, unless extended for up to two years by the Planning Commission. Zone changes occurring while the approval is in effect shall not affect the approval. Changes in the Master Plan requested by the developer will be reviewed and approved as a revision to the Master Plan by the Planning

(3) Requests for time extensions of Conditional Use Permit ~~approvals~~, Master Planned Development, ~~approvals~~, and Plat approvals.

(4) Other items of a perfunctory nature which the Chairman directs the Department to place on the consent agenda for action.

All items on the consent agenda shall be passed or denied by a single motion at the Commission meeting, unless a motion to remove a specific item is made. Motions to remove specific items from the consent agenda shall state the reasons for the removal, referring to specific planning issues or Code sections which the Commissioner making the motion does not think have been satisfactorily resolved or complied with. Motions to remove items from the consent agenda shall be passed by a vote of two-thirds of the Commission members present and voting on the issue. When an item is removed from the consent agenda, it shall be acted on at the same meeting at which the removal occurs, unless the developer requests the item be tabled in order to prepare additional information to respond to the Commission's concerns.

(H) **REVIEW OF APPEALS OF COMMUNITY DEVELOPMENT DEPARTMENT DECISIONS . STAFF ACTIONS** - At any time, the Owner, Applicant, developer or any non-owner with standing as defined in Section 15-1-17(b) 15-1-17(D) of this Code may request that Staff actions on a project be reviewed by the Planning Commission. The scope of review by the Planning Commission shall be the

same as the scope of review at the Staff level. ~~on the matters at issue.~~

(I) **SUBDIVISION AND RECORD OF SURVEY PLAT AND PLAT AMENDMENT REVIEW. PLAT APPROVAL**

The Commission shall review all plats, ~~to be recorded~~ affecting land within the City limits or annexations to the City. The scope of review on plat approval is limited to finding substantial compliance with the provisions of the state statute on recording of plats, and that all previously imposed conditions of approval, whether imposed by the staff or the Commission, have been satisfied. Upon finding that the plat is in compliance with the state statute, and that conditions of approval have been satisfied, the plat must be approved. ~~No new conditions may be imposed at the plat approval stage.~~ The City Engineer, City Attorney, City Recorder, City Council, and Mayor shall all review the plat as required by statute before recording. Plats may be approved on the consent agenda.

(J) **TERMINATION OF INACTIVE APPLICATIONS PROJECTS.** See Termination of Projects, Section 15-1-13.

~~(H) **REVIEW OF PASSENGER TRAMWAY PROPOSALS.** The Planning Commission shall hold hearings and perform the review of proposals for passenger tramways and liftways located in zones where they are conditional uses according to the standards of review set forth in Section 8.18 of this Code. Although these uses are conditional uses in these zones, the neighborhood impacts are such that specific review by the Planning~~



ORDINANCE 01-16

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 8A
REGULATING PUBLIC OUTDOOR MUSIC PLAZAS**

WHEREAS, Utah Code Annotated (“UCA”) Sections 10-8-73 and 10-8-76 give the City the power to regulate and prohibit public demonstrations, processions and other street or otherwise public performances which may interfere with public order or otherwise create a noise nuisance; and

WHEREAS, UCA Section 10-8-84 allows the City to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by Chapter 8 of UCA Title 10 which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and its inhabitants, and for the protection of property in the City; and

WHEREAS, UCA Section 10-8-60 gives the City the right to declare what constitutes a public nuisance, and provide for the abatement of the same, and impose fines upon persons who may create, continue or suffer nuisances to exist; and

WHEREAS, the City Council received a petition supporting outdoor music, but also heard from several area residents who objected to amplified music; and

WHEREAS, the City Council received recommendations based upon the findings and experiences of a volunteer citizen committee, and a University of Utah class concerning the effects and regulation of noise and the construction of sound mitigating stages, to properly set forth reasonable regulations and time limits to substantially mitigate the effects of such music upon neighboring residents and businesses; and

WHEREAS, the Community Development Department recommended the restrictions herein based upon the Department’s noise measurements around the neighborhood and other parts of the City; and

WHEREAS, on June 1, 2000, the City Council of Park City adopted Ordinance 00-36, regulating Outdoor Music Plazas at the Town Lift Plaza and Summit Watch Marriot Plaza; and

WHEREAS, amplified events and music operated at the Town Lift Plaza and Summit Watch Marriot Plaza in accordance with Ordinance 00-36; and

WHEREAS, the Neighborhood Review Group, an independent review committee appointed to monitor ongoing compliance with Ordinance 00-36, delivered a positive recommendation and review of performance under the ordinance; and

WHEREAS, the Public Outdoor Music locations authorized herein are within the City limits, in areas where noisy commercial operations, businesses and public master festivals/parades are common; and

WHEREAS, licensing and zoning are legitimate and reasonable means of time, place and manner regulations to ensure that outdoor music performers comply with reasonable regulations and to ensure that performers do not knowingly allow their music to become a nuisance to nearby residences and businesses, nor create public disorder; and

WHEREAS, the City Council received convincing testimony that outdoor music performances, because of their very nature, have a positive effect on both the existing businesses around them and the community at large, causing enhanced resort atmosphere and business patronage; and

WHEREAS, as a result of these findings and testimony, the City Council finds that public outdoor music in the specified location is not a nuisance per se, but if performed consistently with the regulations contained herein, is reasonably within the standard of comfort prevailing in the areas of and adjacent to the locations defined herein, promotes the arts and cultural enhancement in the community, and is consistent with pending Master Festival Licensing section 4-8-5; and

WHEREAS, the City Council finds that outdoor music, if unregulated, may have serious objectionable operational characteristics particularly when located in close proximity to residential neighborhoods, thereby contributing to increased noise, pedestrian traffic and downgrading the quality of life in such adjacent residential areas; and

WHEREAS, the City Council desires to minimize and control these adverse effects and thereby preserve the property and character of surrounding neighborhoods, deter unreasonably large pedestrian crowds, protect the citizens from increased noise, preserve the quality of life, and protect the health, safety and welfare of the citizenry; and

WHEREAS, the time, place and manner restrictions of this ordinance are required to protect legitimate and important governmental interests and are reasonably related to achieve the protection of those interests with the minimum interference necessary to rights protected by state and federal constitutional provisions; and

WHEREAS, the City Council finds that barring all amplified events and music would be over broad and arbitrary; and

WHEREAS, the City Council held work sessions with public input on this matter as regularly scheduled meetings on March 19, 2001, and May 3, 2001.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, AS FOLLOWS:

SECTION 1. FINDINGS. The recitals above are incorporated herein as findings by the City Council, the legislative body of Park City.

SECTION 2. AMENDMENT. Title 4, Chapter 8A of the Municipal Code of Park City is hereby amended as follows:

CHAPTER 8A - PUBLIC OUTDOOR MUSIC PLAZAS

4- 8A- 1. TITLE FOR CITATION.

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

4- 8A- 2. PURPOSE: REASONABLE LICENSING PROCEDURES.

It is the purpose and object of this Chapter ~~section~~ that the City establish reasonable and uniform regulations governing the licensing and manner of operations of Public Outdoor Music Plazas in Park City. This Chapter ~~section~~ shall be construed to protect the legitimate and important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of Public Outdoor Music Plazas within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize Public Outdoor Music Plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of Public Outdoor Music Plazas and thereby to protect the health, safety, and welfare of the citizens and guests of Park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

4- 8A- 3. APPLICATION OF PROVISIONS.

This Chapter ~~section~~ imposes regulatory standards and license requirements on certain activities, which are characterized as "Public Outdoor Music Plazas." It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United

States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of Public Outdoor Music Plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise, of the Municipal Code; and Chapter 7 (including pending Municipal Code §Section 15-2-6.10(B)(4)) of the Park City Land Management Code, as amended.

4- 8A -4. DEFINITIONS.

For the purpose of this Chapter, the following words shall have the following meanings:

(A) **AMPLIFIED EVENT OR MUSIC**. An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.

~~(B) **PUBLIC OUTDOOR MUSIC PLAZA**. The following plazas used for public performances and outdoor music:~~

~~—— (1) — Town Lift Plaza as shown on Exhibit A, and~~

~~—— (2) — Summit Watch Marriot Plaza as shown on Exhibit B.~~

~~(C)~~(B) **STAGES**. The raised and semi-enclosed platforms that are designed to attenuate sound, ~~in a form substantially similar to as depicted in Exhibit C~~ or as otherwise approved by Special Events staff.

4- 8A- 5. MASTER FESTIVAL LICENSE; REVIEW PROCEDURE.

The City Council hereby grants Master Festival Licenses for each of the Public Outdoor Music Plazas in Section 46. The Licenses shall be subject to all regulations and conditions of this Chapter. The Licenses shall be valid as of June 1, 2000 2001 and shall expire October 1, 20002001, unless renewed by the City Council. The City Council may not renew said licenses until after a public hearing and receipt of a staff evaluation of the prior year's compliance with this Chapter. Renewal shall be granted in the sole judgment of the City Council based upon compliance with the regulations herein, community impacts, and so long as such decision is not arbitrary and capricious. No licensee nor performer shall accrue any vested rights under this revocable license.

~~4- 8A- 6. PROGRAM LIMITS AND CATEGORIES.~~

~~Each Stage may be programed for not more than four days per week, and of those four days, only one program day may be a weekend day (Saturday or Sunday). The categories of programming allowed at Public Outdoor Music Plazas are:~~

~~(A) **Amplified Event or Music:** This type of event shall be programmed for no more than 2 days a week at each plaza, only one of which may be a weekend day (Saturday or Sunday). Amplified Music shall be limited to no more than 5 hours of total performance time on each of those two days (breaks are not included in total time but warm-up and rehearsals are).~~

~~(B) **Non-amplified music and events:** Programming for music and events such as poetry readings, dance, or other events that require no amplification.~~

4- 8A- 6. PUBLIC OUTDOOR MUSIC PLAZAS.

The following locations, dates, and times may be programmed by Mountain Town Stages for public performances and outdoor music:

(A) **PARTY ON THE PLAZA.**

(1) **LOCATION.** On Summit Watch Plaza between Dynamite Dom's and Picasso's. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Tuesdays, Fridays, and Saturdays from 5:00 PM to 8:00 PM from June 12th through September 30th. A timer device will be installed that shuts the power of the stage and sound system off at 8:00 PM .

(3) **TYPE OF MUSIC.** Amplified and Acoustic. For Amplified Events or Music on Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty five (25) feet in front of the stage.

(4) **SPECIAL EVENTS.** This Public Outdoor Music Plaza may also be programmed for a maximum of four (4) additional week-nights during the summer for special events from 5:00 PM to 8:00 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

(B) **DEER VALLEY NEAR MCHENRY'S GRILL.**

(1) **LOCATION.** Deer Valley near McHenry's Grill. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Wednesdays, Thursdays, Saturdays, and Sundays from 11:30 AM to 2:30 PM, from June 27th through September 9th. A timer device will be installed that shuts the power of the stage and sound system off at 2:30 PM .

(3) **TYPE OF MUSIC.** Amplified and Acoustic.

(4) **SPECIAL EVENTS.** This Public Outdoor Music Plaza may also be programmed for a maximum of four (4) additional weekdays during the summer for special events from Noon to 6:00 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

(C) **PARK CITY MOUNTAIN RESORT AT MOOSE'S PUB & GRILL**

(1) **LOCATION.** Park City Mountain Resort at Moose's Pub & Grill. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Saturdays and Sundays from Noon to 6:00 PM, from June 30th through September 9th. A timer device will be installed that shuts the power of the stage and sound system off at 6:00 PM .

(3) **TYPE OF MUSIC.** Amplified and Acoustic.

(4) **SPECIAL EVENTS.** This Public Outdoor Music Plaza may also be programmed for a maximum of four (4) additional weekdays during the summer for special events from Noon to 6:00 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

(D) **ADDITIONAL LOCATIONS; ADMINISTRATIVE REVIEW.** Additional Public Outdoor Music Plaza locations may be administratively approved by the Special Events Department for programming by Mountain Town Stages of public performances and outdoor music pursuant to the criteria set forth herein. No additional Public Outdoor Music Plaza location shall be administratively approved unless the proposal fully complies with all of the following criteria:

- (1) No more than two (2) additional Public Outdoor Music Plaza locations may be administratively approved;
- (2) No proposed location may occupy or otherwise compromise any public parking space(s), whether for use by performers, attendees, or other amenities directly connected to programming pursuant to this Chapter;
- (3) The proposed location must include sufficient area to accommodate performers, MTS staff, and anticipated attendees without interfering with pedestrian or vehicular traffic or otherwise impairing any public right of way;
- (4) No proposed location shall be approved unless located within the HRC, HCB, RC.

RCO, GC, or LI Districts, and in no case shall a proposed location be approved within one hundred feet (100') of a residential neighborhood;

- (5) No additional Public Outdoor Music Plaza location shall be programmed prior to June 1, nor after September 30, 2001;
- (6) Additional Public Outdoor Music Plaza locations may be programmed no more than three (3) days or evenings per week; and
- (7) No additional Public Outdoor Music Plaza location may be programmed for more than five (5) hours in any day, and in no event shall programming commence prior to 11:30 AM nor end later than 8:00 PM.

4- 8A-7. GENERAL REGULATIONS.

(A) The program manager, or his/her designee, shall provide on-site management for each event.

(B) A sound technician shall provide on-site noise monitoring for each event with music, Amplified or otherwise, and any Amplified Event.

(C) Except as otherwise provided at Subsection 6(A) herein, for ~~For~~ Amplified Events or Music, ~~a sound limiter will be placed on~~ the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 95 ~~90~~, as measured thirty five feet (35') ~~twenty five (25) feet from~~ in front of the stage. ~~Non-amplified music and events shall not exceed a maximum decibel level of 90, as measured twenty five (25) feet from the stage.~~ The data currently available to the City indicates that a maximum decibel level of 95 ~~90~~ satisfies the purpose of this ordinance. The City may amend this ordinance consistent with newly acquired data.

(D) All events shall be open to the public and free of charge.

~~(E) — Power Controls: A timer device will be installed that shuts the power of the stage and sound system off at 8:00 PM.~~

~~(F) — TIME. All performances, regardless of type, are permitted only between noon (12:00 PM) And 8 PM~~

~~(G)~~(E) No event shall exceed 250 people unless a separate Master Festival License is granted for that event.

~~(H)~~(F) The Police Department or other proper City official shall have access at all times to all Public Outdoor Music Plazas ~~plazas~~ under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

~~(I)~~(G) All events shall take place only on authorized Stages and shall have clean-up services

directly following each event so as to leave the plazas in a clean and litter free manner.

4- 8A-8. ALCOHOL.

It is unlawful for the licensee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages at ~~on~~ the Public Outdoor Music Plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable.

4- 8A-9. LICENSE HOLDER; PROGRAM BOARD

(A) Mountain Town Stages (MTS) ~~The Park City Arts Council~~ will be the licensee of the events and will own the Stages. MTS ~~The Arts Council~~ will hire a program manager, approved by the City, said approval not to be unreasonably withheld. The program manager will be responsible for general management of each Public Outdoor Music Plaza and on-sight oversight for each event. Agreements with the individual property owners will be provided to the City Special Events Department by the program manager.

(B) Mountain Town Stages shall schedule events in accordance with the regulations set forth in this Chapter. ~~The Arts Council will appoint an independent Programming Board, consisting of five residents of Park City (community and arts). The Programming Board will schedule the selection and times of events.~~ Nothing herein shall allow the City to regulate the content or otherwise censor Public Outdoor Music Plaza productions or speech. Mountain Town Stages ~~The Arts Council~~ shall at all times hold the City harmless and indemnify the City for all claims, actions and liability arising from Mountain Town Stage's ~~the Arts Council's~~ use of the Public Outdoor Music Plazas. Mountain Town Stages ~~The Arts Council~~ shall maintain its own liability insurance, with the City listed as an additional insured in a form approved by the City Attorney.

(C) Nothing in this Chapter shall be interpreted to create a contract or implied-contract between the City and any performer, or Public Outdoor Music Plaza owner.

4- 8A-10. SUSPENSION AND REVOCATION.~~ON-GOING COMPLIANCE~~ EVALUATION.

(A) ~~The City Special Events Department will appoint an independent neighborhood review group of at least three area residents which will be contacted weekly by the City Special Events staff and the program manager to receive comments and concerns. A phone number will also be available at each venue so that individuals may phone in comments. Based upon such comments, the Special Events staff may issue additional conditions consistent with the intent of this Chapter to the program manager. A summary of, and recommended response to comments will be forwarded to the City Council within seven days of the end of each month of operation, or sooner if requested by the program manager to resolve any issue. At the end of the season, the Special Events staff will forward a final recommendation to the City Council, with proposed changes, if any, prior to renewal of the licenses granted herein.~~

(B) The Police Chief, or his/her designee, may suspend the Licenses granted herein and schedule a revocation hearing before the City Council at the next regularly scheduled City Council meeting for any of the following causes:

- (A) Any violation of this Chapter as evidenced by a citation issued by the Police Department.
- (B) Any violation of law or City ordinance.
- (C) Upon any other evidence that the Program Manager or entertainer constitutes a hazard or nuisance to the health, safety, or welfare of the community.

4- 8A-11. TRANSFER LIMITATIONS.

The Master Festival Licenses granted under this Chapter are not transferable without the written consent of the Mayor. It is unlawful for an individual to transfer a Public Outdoor Music Plaza Master Festival License without City approval as provided herein. If any transfer of the controlling interest in a Public Outdoor Music Plaza license occurs without City approval, the license is immediately null and void and the Public Outdoor Music Plaza shall not operate until a separate new license has been properly issued by the City as herein provided. The City will not unreasonably withhold consent of transfer provided the proposed Licensee is a non-profit organization within Park City, meets all the criteria of this Chapter, and demonstrates experience managing special events.

4-8A-12. PLAZAS LICENSES IN LIEU OF ADMINISTRATIVE PERMITS FOR OUTDOOR MUSIC AND OUTDOOR SPEAKERS.

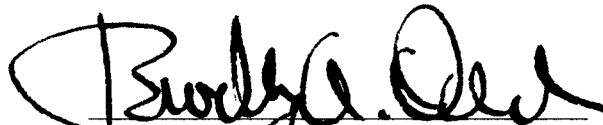
The Master Festival Licenses granted under this Chapter are in lieu of any Administrative Conditional Use Permit for outdoor music, including outdoor speakers, pursuant to the existing Land Management Code and pending ordinance MCPC §Section 15-2-6.10(B)(4). The City may still issue outdoor music permits in conjunction with an approved Master Festival License.

SECTION 3. SEVERABILITY. If any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unlawful by a Court of competent jurisdiction, such decision shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 10th day of May, 2001.

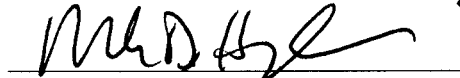
PARK CITY MUNICIPAL CORPORATION

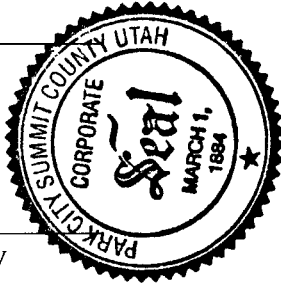

Bradley A. Oich, Mayor

Attest:


Janet M. Scott, City Recorder

Approved as to Form:


Mark D. Harrington, City Attorney





Ordinance No. 01-15

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE PORTIONS OF SEVERAL PLATTED LOTS of BLOCK 59 of the PARK CITY SURVEY LOCATED AT 335 McHENRY AVENUE INTO ONE (1) PLATTED LOT.

WHEREAS, the owners of portions of several platted lots of Block 59 of the Park City Survey located at 335 McHenry Avenue have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 25, 2001, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on April 25, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 10, 2001, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment to the Park City Survey.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Park City Survey is hereby amended as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Planning Commission forwarded a positive recommendation to approve this Plat Amendment at their April 25, 2001 meeting.
2. The property is located in the Historic Residential Low-Density zone (HR-L).
3. The HRL District is characterized by a mix of small historic structures and larger contemporary residences.

4. The amendment will consolidate lots 21, 22, 23, and portions of lots 10, 11, and 20 of Block 59 of the Park City Survey into one (1) platted lot to allow the construction of an addition to the existing single-family dwelling.
5. The proposed lot size will be 9,603 square feet.
6. The project is on McHenry Avenue with dense residential uses. Minimal construction staging area is available along McHenry Avenue.
7. The existing structure currently has vehicular access off McHenry Avenue via a private driveway that enters the property from the south east corner of the lot.
8. McHenry Avenue does not exist in its platted right-of-way. The Park City Survey reveals the lots where 335 McHenry is located, fronts platted McHenry. Existing McHenry is just east of platted McHenry as indicated by the dashed line in Exhibit B.
9. Due to the separation of platted McHenry Avenue from existing McHenry Avenue, adequate snow storage is available at the location.
10. The existing dwelling is non-historic.
11. The subdivision will not increase density on the lot.
12. Staff will review the applicant's proposed modifications to the existing non-historic structure upon the submission of a Historic District Design Review application.
13. The minimum lot requirement in the HRL Zone is 3750 square feet.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

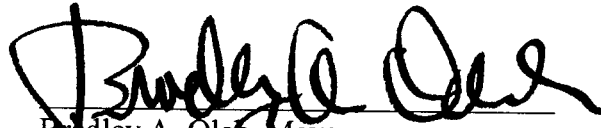
Conditions of Approval:

1. The City Attorney and City Engineer review and approve the final form and content of the replat for compliance with the Land Management Code and conditions of approval prior to recordation.
2. The proposed construction of an addition and exterior improvements to the existing dwelling shall require compliance with the Historic District Design Guidelines.
3. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one years time, this approval and the plat will be void.
4. No remnant lot created is separately developable.
5. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of this structure.
6. No accessory apartments or lock-out units shall be incorporated in the future as part of the existing dwelling with out prior approval.
7. No further subdivision of the property is allowed.


SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 10th day of May, 2001.

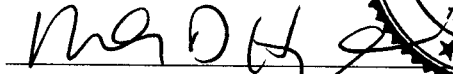
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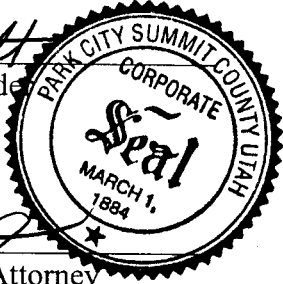

Bradley A. Olch, Mayor

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John DeWitt, certify that I am a Registered Land Surveyor and that I had personally surveyed the above described land and that the same is in accordance with the laws of the State of Utah, and that I have caused to be filed in the office of the County Clerk of the County of Summit, Utah, a true and correct copy of this plat, and I have caused to be filed in the office of the County Clerk of the County of Summit, Utah, a true and correct copy of this plat, and I have caused to be filed in the office of the County Clerk of the County of Summit, Utah, a true and correct copy of this plat.

Date: _____

LEGAL DESCRIPTION

All of Lots 16, 17, 18, 19, 20, 21, and 22, less certain right of way, Block 59, Park City, Summit County, Utah, as shown on the plat herein, to be filed in the Summit County Recorder's office.

OWNER'S DECLARATION AND CONSENT TO RECORD

EVERY ALL PART OF THESE PREMISES HAVE, THE UNDERSIGNED OWNER OF THE LAND, HERETOFORE BEEN IN THE POSSESSION AND CONTROL OF THE SURVEYOR, JOHN DEWITT, AND HE HAS BEEN FULLY ADVISED OF THE NATURE AND EFFECT OF THE SAME, AND HE HAS HEREBY CONSENTED TO THE RECORDING OF THIS PLAT, AND HE HAS HEREBY AUTHORIZED THE SURVEYOR TO EXECUTE THIS PLAT, AND HE HAS HEREBY AUTHORIZED THE SURVEYOR TO EXECUTE THIS PLAT, AND HE HAS HEREBY AUTHORIZED THE SURVEYOR TO EXECUTE THIS PLAT, AND HE HAS HEREBY AUTHORIZED THE SURVEYOR TO EXECUTE THIS PLAT.

Name: _____

Date: _____

ACKNOWLEDGMENT

Name of State: _____

Date: _____

On this _____ day of _____, 2001, Thomas Henry and Eric DeWitt, the undersigned Surveyor, being duly sworn, depose and say that they are the duly qualified Surveyors of the State of Utah, and that they signed the above Certificate, Declaration, Consent and Acknowledgment, and that they signed the above Certificate, Declaration, Consent and Acknowledgment, and that they signed the above Certificate, Declaration, Consent and Acknowledgment.

Name: _____

My commission expires: _____

NOTES

- 1. The legal address of the property is 200 Mountain Avenue.
- 2. Block address.
- 3. Refer to the plat for the location of the lot to be replatted.

LEGEND

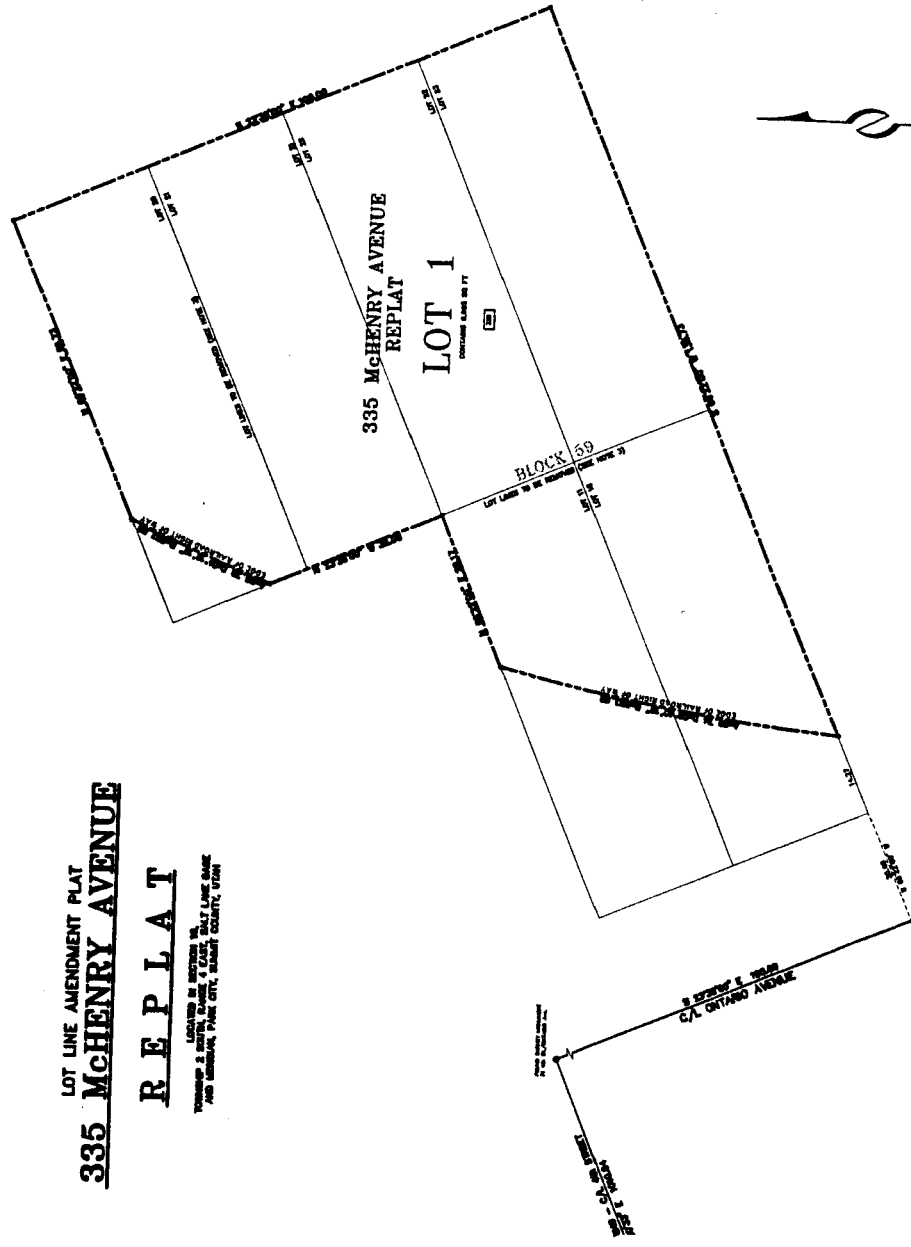
- Private owner to be lot
- Public property owner
- Public survey monument

RECEIVED
MAR 26 2001
PARK CITY
PLANNING DEPT.

FOR 201 7-2-01 FILE IN PLANNING DEPARTMENT
RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ RECORDER _____

LOT LINE AMENDMENT PLAT
335 McHENRY AVENUE
REPLAT

LOCATED IN SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 EAST, MOUNTAIN PLAIN
AND TARRANT PARK CITY, SUMMIT COUNTY, UTAH



COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2001 A.D.
BY _____ MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY WAS FILED IN MY OFFICE BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2001 A.D.
BY _____ PARK CITY RECORDER

APPROVAL AS TO FORM
I APPROVE AS TO FORM THIS RECORD OF SURVEY ON _____ DAY OF _____, 2001 A.D.
BY _____ PARK CITY ATTORNEY

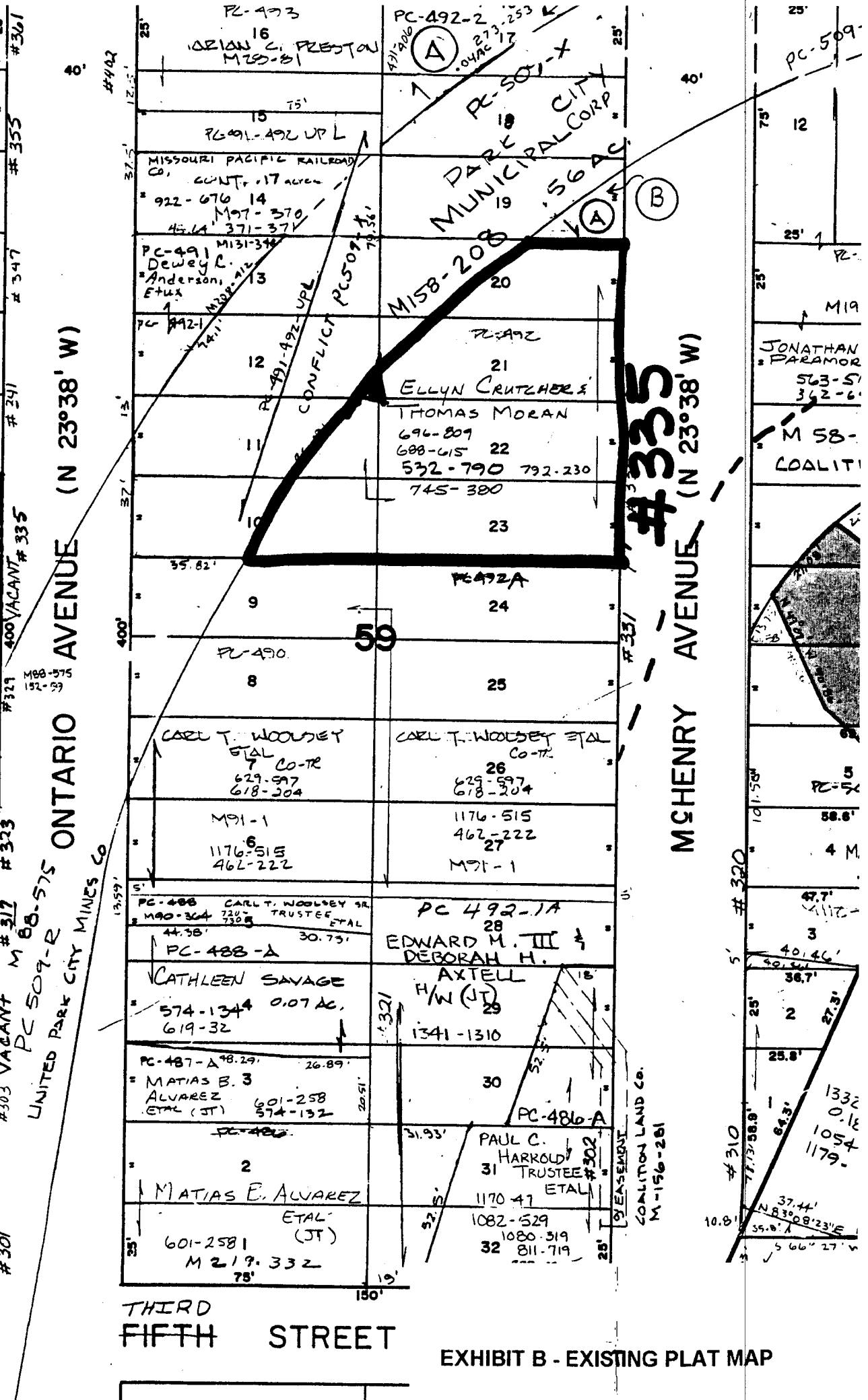
ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ENGINEERS' ACT OF 1903, AS AMENDED.
FILED IN MY OFFICE ON _____ DAY OF _____, 2001 A.D.
BY _____ PARK CITY ENGINEER

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2001 A.D.
BY _____ CHAIRMAN

BYTHERVILLE BASIN SEWER IMPROVEMENT DISTRICT
REVIEWED FOR CONFORMANCE TO BYTHERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2001 A.D.
BY _____ S.E.S.I.D.

EXHIBIT A - PROPOSED REPLAT

CITY OF TANGUAY
 20-688 436-07
 165-336.07AC
 COYT R. BECKER
 686-780
 18 449-716
 475-1
 PC 449
 125-335
 19 441-191
 412-793
 1004-159
 I AEL R STEWART
 20
 M20-671
 880 979-58
 LEON AMIEL
 21
 02-390 386-634
 PC 451-A
 LEON AMIEL
 22
 M200-624 386-634
 166-22 E 75'
 23
 ELITZ REPLAT
 UBD (1996)
 24
 366-22 W 75'
 546-22 E 75'
 25
 ONTARIO AVENUE
 MD. SUB (1998)
 546-22 W 75'
 26
 YES O. SALTER
 LIDE C 27 SALTER
 318-822 609-469
 PC 455
 ZENT BOUZGLOU
 28
 626
 818
 PC 447
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 53-458
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 CHAEL S.
 GLEBRECHT
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THIRD
 FIFTH STREET

EXHIBIT B - EXISTING PLAT MAP



Ordinance No. 01-14

**AN ORDINANCE AUTHORIZING AN EXTENSION TO RECORD
THE TREASURE HILL SUBDIVISION PHASE II PLAT
LOCATED AT 503 AND 503 ½ WOODSIDE AVENUE
PARK CITY, UTAH
APPROVED BY ORDINANCE NO. 00-40**

WHEREAS, the owners of the property at 503 and 503 ½ Woodside Avenue in Park City, Utah, known as Treasure Hill Subdivision Phase II, Edmund J. Beaulieu, Clyde Carlig, and the Sweeney Land Company, petitioned the City Council and received approval of a final subdivision plat on June 15, 2000; and

WHEREAS, the owners of the property have petitioned the City Council for an extension to record the subdivision plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT

1. The proposed extension request was reviewed for compliance with the Land Management Code, Section 15-2.2 (HR-1 Zoning District), Chapter 15 (Subdivision regulations), and Section 15-1.11(c) (Plat approval). The property is part of the Sweeney Properties Master Plan and the subdivision plat is consistent with the Sweeney Properties Master Plan, as amended.
2. The original approval expires on June 15, 2001. The applicant submitted an extension request on April 16, 2001.
3. The applicant stipulates to all conditions of approval.

SECTION 2. CONCLUSIONS OF LAW:

1. The plat as submitted, reviewed and approved by the City Council on June 15, 2000 complies with the Land Management Code, Sections 15-1-11(c) - Plat Approval and Section 15-2.2 (HR-1 Zoning District).
2. The plat as submitted and reviewed by the City Council on June 15, 2000, is consistent with the Sweeney Properties Master Plan, as amended.

3. A one year extension request is reasonable given the complexity of the project and extent of improvements, location in the historic district, and the condition requiring Historic District Commission approval of the driveway design prior to recording the plat.

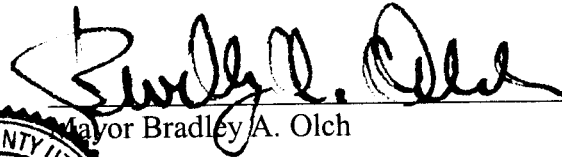
SECTION 3. CONDITIONS OF APPROVAL:

1. The City Council conditions of approval for the Treasure Hill Subdivision Phase II plat, approved by the Council on June 15, 2000, are in full force and effect.
2. All Standard Project Conditions shall apply.
3. Any changes or modifications affecting the original plat approval shall require Planning Commission review and approval and final approval by the City Council.
4. The new expiration date for the Treasure Hill Subdivision Phase II plat is June 15, 2002.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 10th day of May, 2001.

PARK CITY MUNICIPAL CORPORATION

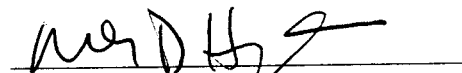

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder



Approved as to form:


Mark D. Harrington, City Attorney



Ordinance No. 01-13

A PLAT AMENDMENT TO COMBINE A PORTION OF LOT 9, ALL OF LOT 10, AND HALF OF LOT 11 INTO ONE LOT OF RECORD LOCATED IN BLOCK 60 OF THE PARK CITY SURVEY, PARK CITY, UTAH

WHEREAS, the owners of the property known as David and Anita Baer, owners of a portion of Lot 9, all of Lot 10, and half of Lot 11, Block 60 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 28, 2001 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on March 28, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 26, 2001, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey and plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. Existing McHenry Avenue bisects lots 9-11.
2. The property is in the HR-L District.
3. The HRL District is characterized by a mix of small historic structures and larger contemporary residences.
4. The plat amendment combines lot 10 and portions of lots 9 and 11, block 60 Park City Survey into one lot of record. The proposed lot size will be approximately 6,500 square feet, including a right-of-way dedication measuring approximately 1800 square feet.
5. The project is on McHenry Avenue which is densely developed with residential structures. Minimal construction staging area is available along McHenry Avenue.
6. The site is currently undeveloped.

7. The newly created lot exceeds 30% slope.
8. The McHenry Avenue neighborhood has built out incrementally over time with structures of varying sizes dispersed across the hill.
9. A two-foot dedication and a ten foot easement along westerly McHenry Avenue is necessary to provide adequate snow removal services and possible future road widening.
10. The front yard setback will be measured from the new easterly right-of-way line which is approximately two feet (2') east/adjacent to the existing McHenry pavement.
11. The Park City Streets Master Plan requires a fifty foot (50') right-of-way for McHenry Avenue, typically measured from the center line of existing street. Such a right-of-way dedication here would push a future home on the lot downhill to the west of McHenry Avenue and create a remnant lot to the east.
12. The applicant stipulates to all conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 2.1 and Chapter 15 and State subdivision requirements.

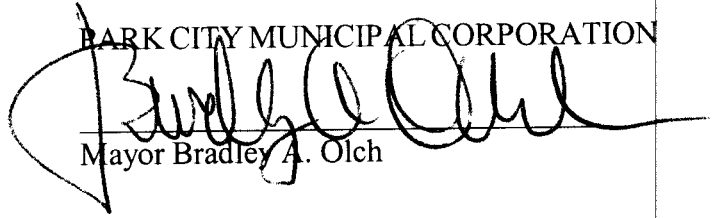
SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 60, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. That area lying east of a line beginning at a point on the northern most boundary line fifty seven feet (57') southwest of the northeast corner and running southeasterly parallel to existing McHenry Avenue to a point on the southernmost boundary line thirty seven feet (37') southwest of the southeast corner shall be dedicated to the City as right-of-way.
3. The applicant shall dedicate a ten foot (10') snow storage easement running along the easternmost property line, and if necessary, public road widening.
4. The easterly five (5) feet of the ten (10) foot snow storage easement may be used by the City to widen McHenry Avenue as needed, and a note delineating the five foot strip as a public utility and road widening easement shall be shown on the plat.
5. A note shall be added to the plat stating that the maximum building footprint is 2,256 square feet.
6. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
7. All Standard Project Conditions shall apply (see Exhibit B - Standard Project Conditions).
8. Receipt and approval of a construction mitigation plan (CMP) by the Community Development Department is a condition precedent to the issuance of a building permit. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction-related details to the satisfaction of the Community Development Department.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 26th day of April, 2001.

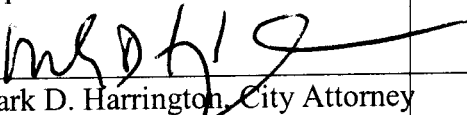
PARK CITY MUNICIPAL CORPORATION

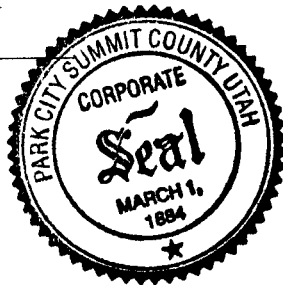

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



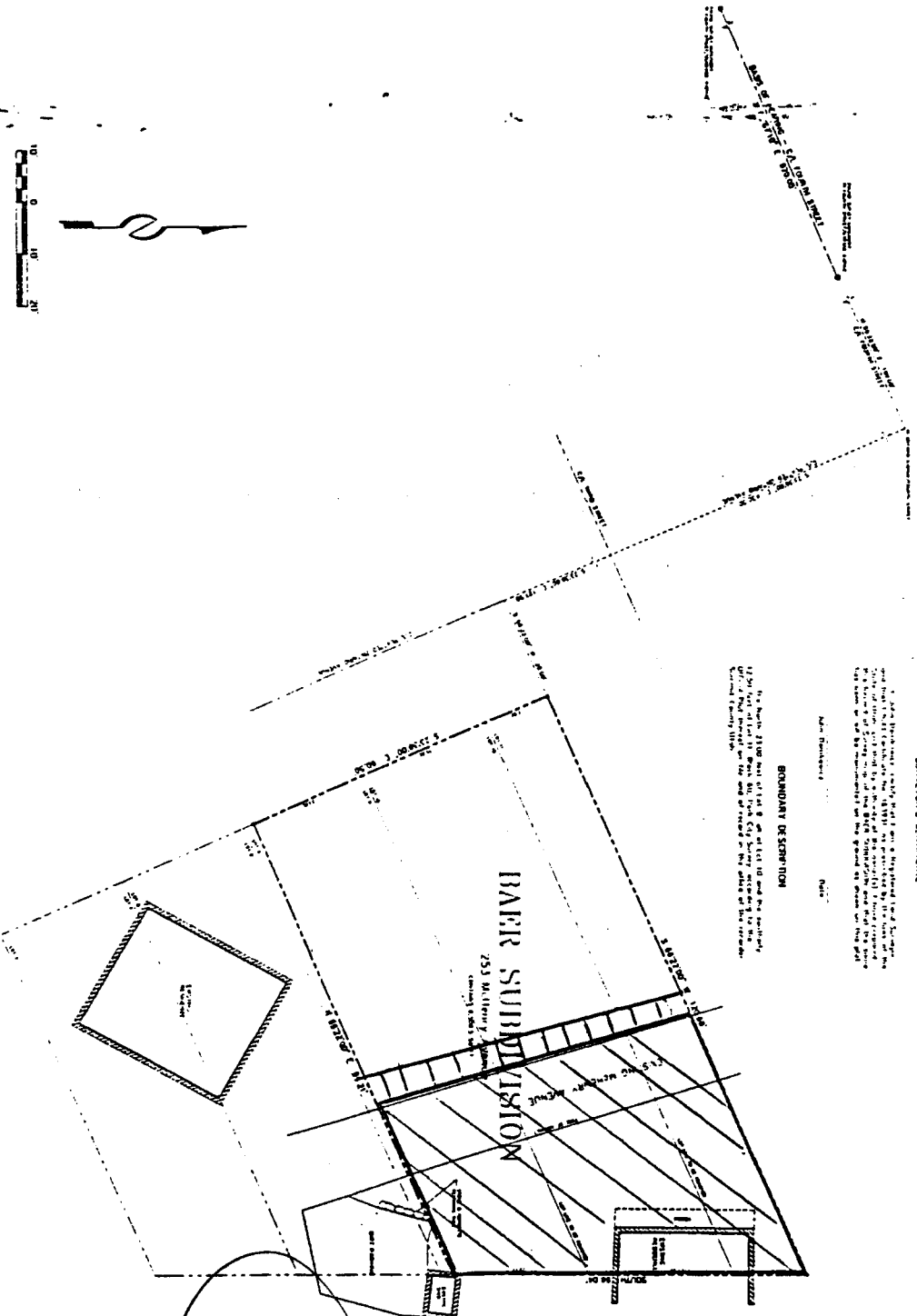
SUBJECT'S CERTIFICATE

I, John P. [Name], the owner of the above described property, do hereby certify that the same is the same as shown on the attached plat and that the same is the same as shown on the attached plat and that the same is the same as shown on the attached plat.

Map Reference: [Blank] Date: [Blank]

BOUNDARY DESCRIPTION

The above described property is bounded on the north by [Blank] on the east by [Blank] on the south by [Blank] and on the west by [Blank].



OWNER'S DECLARATION AND CONSENT TO RECORD

I, the owner of the above described property, do hereby declare that the same is the same as shown on the attached plat and that the same is the same as shown on the attached plat.

CORPORATE ACKNOWLEDGMENT

I, the owner of the above described property, do hereby declare that the same is the same as shown on the attached plat and that the same is the same as shown on the attached plat.

RECEIVED
APR 27 2000
PARK CITY
PLANNING DEPARTMENT

A RESUBDIVISION OF LOTS 9-11 IN BLOCK 60, PARK CITY SURVEY

BAER SUBDIVISION

LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 10 EAST, PARK CITY, SMOKE COUNTY, UTAH

Exhibit A - Proposed Plat Map

<p>APPROVED BY THE PLANNING COMMISSION</p> <p>DATE: [Blank]</p>	<p>APPROVED BY THE CITY COMMISSION</p> <p>DATE: [Blank]</p>	<p>APPROVED BY THE PLANNING COMMISSION</p> <p>DATE: [Blank]</p>	<p>APPROVED BY THE CITY COMMISSION</p> <p>DATE: [Blank]</p>	<p>APPROVED BY THE PLANNING COMMISSION</p> <p>DATE: [Blank]</p>	<p>APPROVED BY THE CITY COMMISSION</p> <p>DATE: [Blank]</p>
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Ordinance No. 01-12

**AN ORDINANCE APPROVING A FINAL CONDOMINIUM
RECORD OF SURVEY PLAT FOR 1266 LOWELL AVENUE, KNOWN AS ALPINE
RETREAT @ PARK CITY, PARK CITY, UTAH**

WHEREAS, the owner of the property at 1266 Park Avenue, known as Alpine Retreat @ Park City, petitioned the City Council for approval of a final condominium record of survey plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 11, 2001 to receive input on the record of survey plat; and

WHEREAS, on April 26, 2001 the City Council reviewed the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final record of survey plat for 1266 Park Avenue.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The proposed plat changes the type of ownership of this property to condominium ownership.
2. The proposal is consistent with both the Land Management Code and the General Plan in that the HRM zone allows single family structures and duplexes on approved lots when all LMC code requirements are met.
3. Two historic structures exist on the property. Facade easements for the historic structures at 1266 and 1274 Park Avenue were recorded at Summit County.
4. Utilities for Units 3 and 4 and Units 5 and 6 were installed for common ownership of these units.
5. The Applicant stipulates to the conditions of approval.
6. A financial guarantee for all public improvements, including required landscaping, is necessary to ensure completion of these improvements.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey plat, that neither the public nor any person will be materially injured by the proposed plat.. The final plat is consistent with both the Park City Land Management Code and State condominium requirements.

SECTION 3. PLAT APPROVAL. The final record of survey plat for 1266 Park Avenue, known as Alpine Retreat @ Park City, is approved as shown on Exhibit A, with the following conditions:

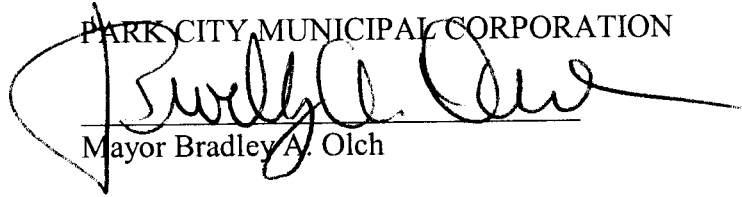
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. All standard project conditions will apply.
3. The applicant will record the final condominium plat at the County within one year from the date of City Council approval. If recording has not occurred within the one year's time, this approval and the plat will be void.
4. Prior to plat recording the applicant shall submit to the City for review and approval a final revised landscape plan, consistent with the construction mitigation plan and utility plan, showing how the site will be re-vegetated and landscaped.
5. A financial guarantee, for the value of all public improvements, including required landscaping, to be completed, shall be provided to the City prior to record of survey recordation. All public improvements, including landscaping shall be completed according to City standards and accepted by the Community Development Department prior to release of this guarantee.
6. A note shall be added to the plat stating that Units 3 and 4 and Units 5 and 6 may not be sold separate from one another, unless modifications to utility installations (water, sewer service, power, and others) are made according to requirements of Park City, Snyderville Basin Sewer Improvement District, and Utah Power, and any other utility providers who anticipated Units 3 and 4 and Units 5 and 6 to be owned in common.
7. A note shall be added to the plat stating that historic facade easement agreements for 1266 and 1274 Park Avenue exist and have been recorded at the County.
8. A note shall be added to the plat stating that the property is served by common sewer laterals. The ownership, maintenance and eventual replacement of the common sewer laterals within the project is the sole responsibility of the Alpine Retreat @ Park City Homeowners Association.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 26th day of April, 2001.

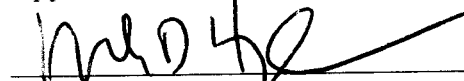
PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

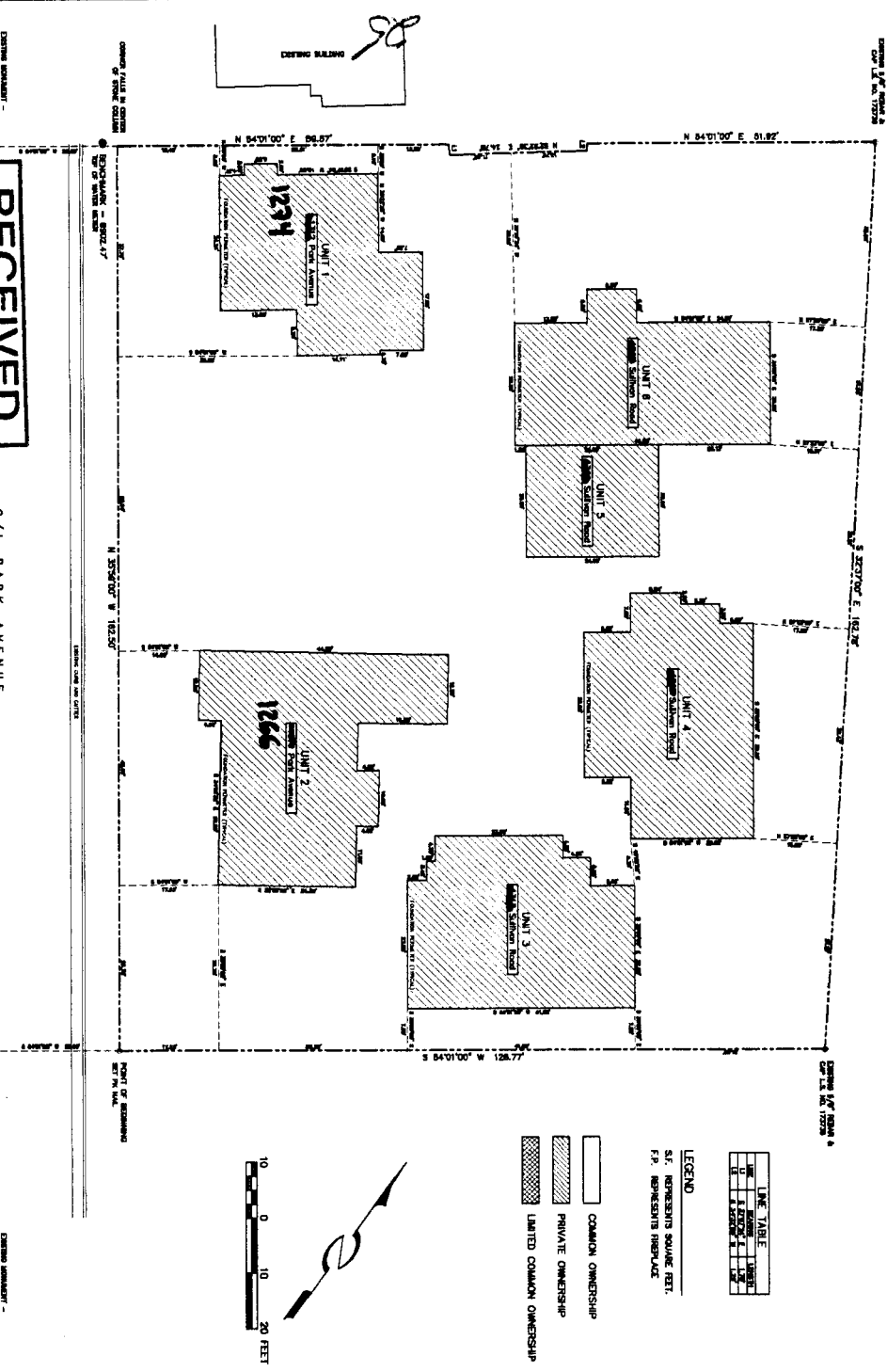
Approved as to form:


Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

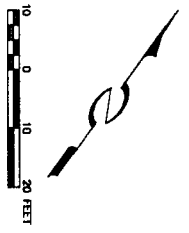
Sheet 5 of 5



LINE TABLE with columns for Unit, Square Feet, and Area.

LEGEND: SF REPRESENTS SQUARE FEET; SP REPRESENTS REPLACES.

- COMMON OWNERSHIP
PRIVATE OWNERSHIP
LIMITED COMMON OWNERSHIP



OWNER'S DEDICATION AND CONSENT TO RECORD
Boundary Description
The undersigned, owner of the premises of Park Avenue and 11th Street, do hereby...

ACKNOWLEDGMENT
State of Utah)
County of Salt Lake)

ASSIGNMENT
The undersigned, owner of the premises of Park Avenue and 11th Street, do hereby...

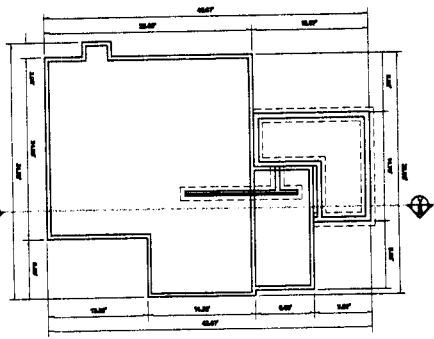
RECORD OF SURVEY MAP
ALPINE RETREAT
@ PARK CITY
A UTAH CONDOMINIUM PROJECT

APPROVAL AND ACCEPTANCE
COUNCIL APPROVAL AND ACCEPTANCE
RECORDED

RECEIVED
MAR 13 2001
PARK CITY
PLANNING DEPT.

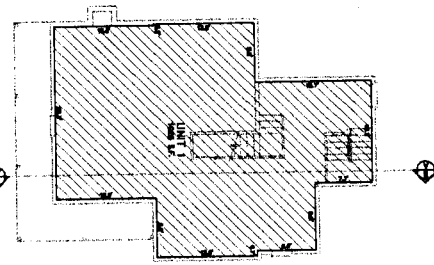
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS DAY OF 2001 A.D.

APPROVAL AND ACCEPTANCE
APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS DAY OF 2001 A.D.

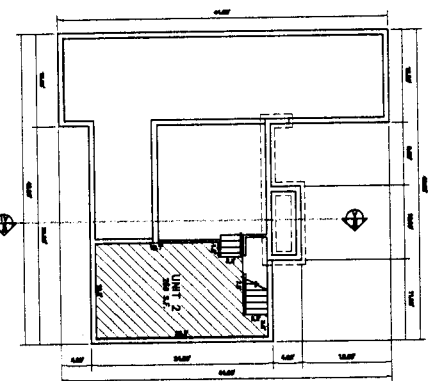


BASMENT LEVEL

UNIT 1

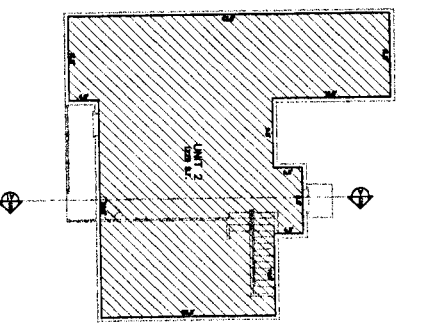


MAIN LEVEL

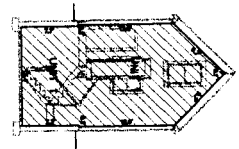


BASMENT LEVEL

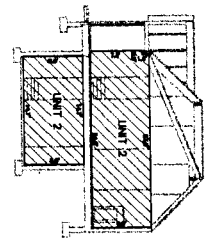
UNIT 2



MAIN LEVEL



SECTION "A-A"



SECTION "A-A"

LEGEND
 0.5" REPRESENTS SQUARE FEET
 0.2" REPRESENTS FOOT-PADE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAN WERE COMPARED FROM ARCHITECTURAL DRAWINGS PREPARED BY LLOYD DESIGN GROUP ARCHITECTS.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL UNIT EXTERIOR WALLS ARE 0.5 FEET THICK. ALL CONCRETE LEVEL WALLS ARE 0.7 FEET THICK.
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF COMMON AREAS.
6. DIMENSIONS: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION.
7. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
8. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERMISSIBLE.
9. [XXXX] INDICATES STREET ADDRESS.
10. THE ALPINE RETREAT OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON SURVIVANT SINKER LABELS AND PAINTMARKS.

UNITS 1 & 2



UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	0	0	822	847	0	822
MAIN LEVEL	1028	1228	1083	1083	441	803
BASMENT LEVEL	0	256	0	0	0	0
TOTAL	1028	1484	1840	1840	441	1845

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

RECORD OF SURVEY MAP
ALPINE RETREAT
 @ **PARK CITY**
 A UTAH CONDOMINIUM PROJECT

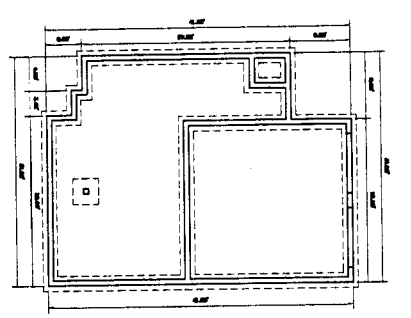
SHEET 2 OF 5

RECEIVED
 MAR 13 2001
 PARK CITY
 PLANNING DEPT.

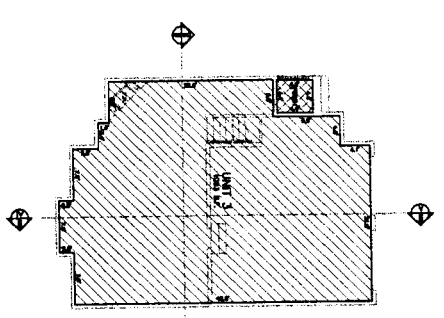
FIG. NO. 8-2-00 FILE: \BOLLEN\BOLLEN2

RECORDED
 STATE OF UTAH
 COUNTY OF SUMMIT AND FILED
 DATE _____ TIME _____ BOOK _____ PAGE _____
 RECORDER

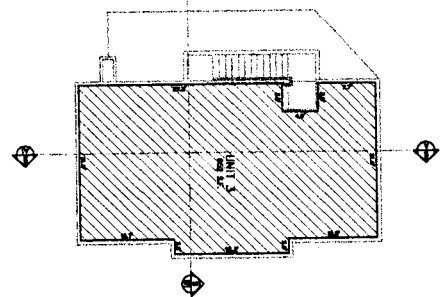
87



CONDOMINIUM

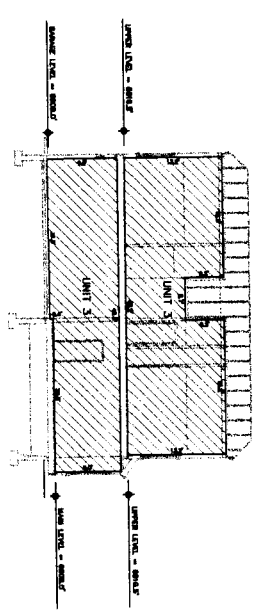


MAIN LEVEL

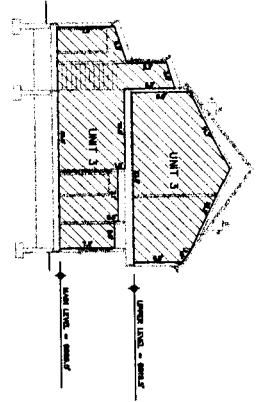


UPPER LEVEL

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



SECTION 'A-A'



SECTION 'B-B'



UNIT 3

- LEGEND**
- S.F. REPRESENTS SQUARE FEET.
 - F.P. REPRESENTS SQUARE FOOT.

- NOTES:**
1. PLANS AND DIMENSIONS SHOWN ON THIS PLAN WERE COMPARED FROM ARCHITECTURAL DRAWINGS PREPARED BY LIVING DESIGN GROUP ARCHITECTS.
 2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 3. ALL UNIT EXTERIOR WALLS ARE 0.5 FEET THICK. ALL CORNER LEVEL WALLS ARE 0.7 FEET THICK.
 4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
 5. NOTES TO DEVELOPMENT OF COMMON AREAS FOR COMPLETE DESCRIPTION OF COMMON AREAS.
 6. DIMENSIONS: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION.
 7. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
 8. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERPENDICULAR.
 9. [CROSS] INDICATES STREET ADDRESS.
 10. THE ALPINE RETREAT OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON MAINTENANCE, REPAIRS AND PAYMENTS.

UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	1	2	3	4	5	5
UPPER LEVEL	0	0	802	877	0	802
MAIN LEVEL	1028	1228	1083	1083	441	863
BASEMENT LEVEL	0	238	0	0	0	0
TOTAL	1028	1466	1885	1883	441	1845

RECEIVED

MAR 13 2001

PARK CITY
PLANNING DEPT.

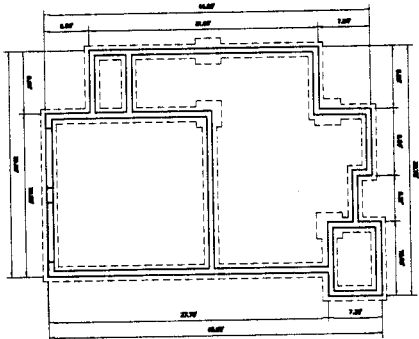
RECORD OF SURVEY MAP
ALPINE RETREAT
@ PARK CITY

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE UNINCORPORATED TOWNSHIP OF ALPINE, UTAH, PARCELS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

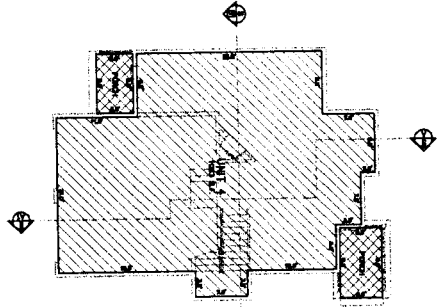
JOB NO. 8-2-00 FILE: V0110/D/S0183

STATE OF UTAH, COUNTY OF SUMMIT AND FILED
AT THE RECORDS OFFICE OF SAID COUNTY
DATE _____ TIME _____ BOOK _____ PAGE _____
RECORDED
FILE _____ RECORDER _____

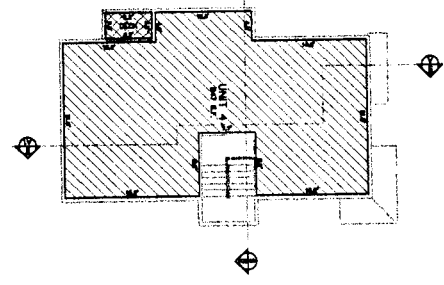
SHEET 3 OF 5



ELEVATION

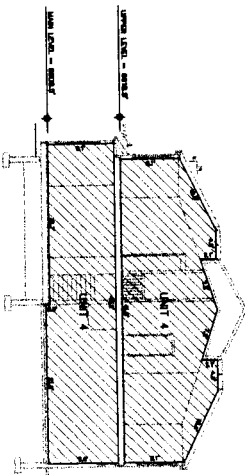


MAIN LEVEL

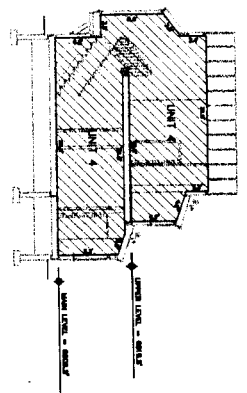


UPPER LEVEL

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



SECTION "A-A"



SECTION "B-B"

- LEGEND**
- S-F. REPRESENTS SQUARE FEET.
 - P-F. REPRESENTS FOOTAGE.

NOTES:

1. THIS UNIT AND DIMENSIONS SHOWN ON THIS PLAN WERE COMPARED FROM ARCHITECTURAL DRAWINGS PREPARED BY LEON DESIGN GROUP ARCHITECTS.
2. NUMBER DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. UNIT EXTERIOR WALLS ARE 6.5 FEET THICK. ALL GARAGE LEVEL WALLS ARE 2.0 FEET THICK.
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
5. NOTES TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
6. REMOVAL: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION.
7. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
8. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERIODICALLY.
9. [REDACTED] INDICATES STREET ADDRESS.
10. THE ALPINE RETREAT OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON SANITARY SEWER LATERALS AND PIPING.



UNIT 4

UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	0	0	652	617	0	652
MAIN LEVEL	1028	1228	1083	1083	441	983
BASEMENT LEVEL	0	228	0	0	0	0
TOTAL	1028	1456	1645	1645	441	1645

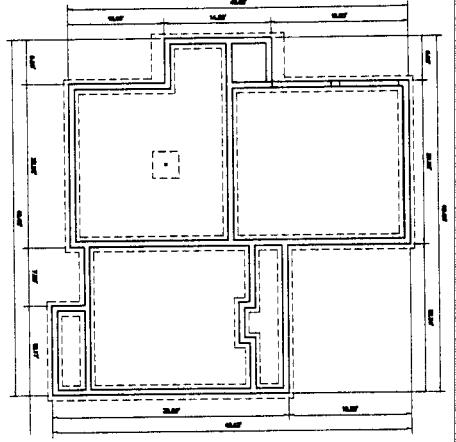
RECEIVED
 MAR 13 2001
 PARK CITY
 PLANNING DEPT.

JOB NO. S-7-00 FILE NO. 0011374

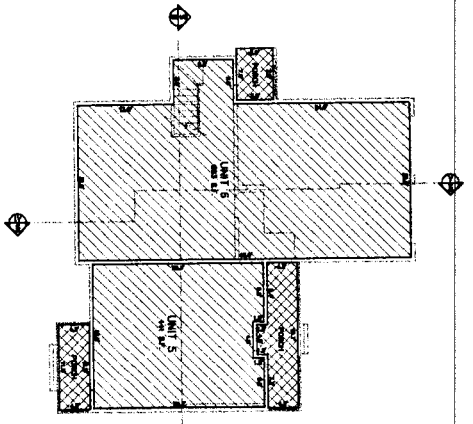
RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT AND FILED
 DATE _____ TIME _____ BOOK _____ PAGE _____
 RECORDER

RECORD OF SURVEY MAP
ALPINE RETREAT
 @ **PARK CITY**
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE MERIDIAN, BEING PART OF THE CONDOMINIUM DEVELOPMENT OF ALPINE RETREAT IN PARK CITY,
 BEING MORE PARTICULARLY SHOWN ON THE RECORD OF SURVEY MAP OF ALPINE RETREAT IN PARK CITY.

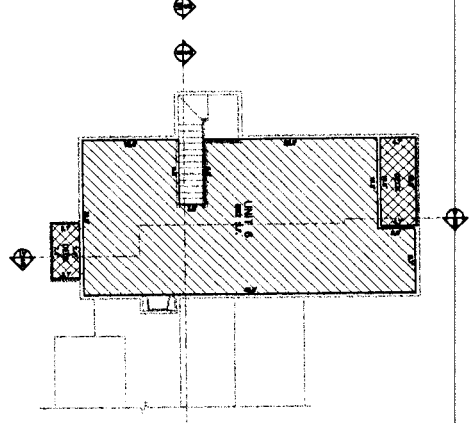
68



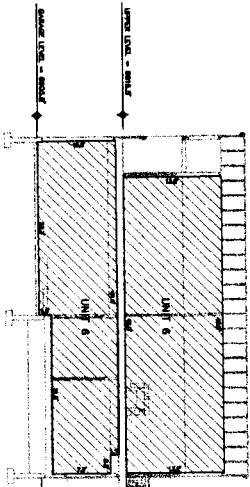
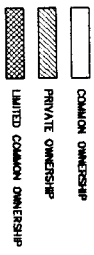
FOUNDATION



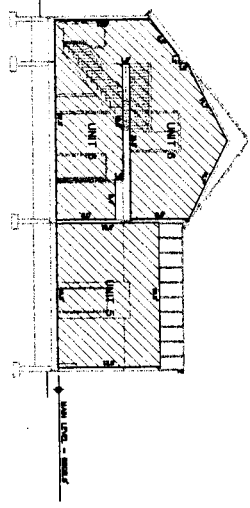
MAIN LEVEL



UPPER LEVEL



SECTION 'A'



SECTION 'B'

UNITS 5 & 6



LEGEND
 SF. REPRESENTS SQUARE FEET.
 P.F. REPRESENTS PER SQUARE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAN WERE OBTAINED FROM ARCHITECTURAL DRAWINGS PROVIDED BY LLOYD DESIGN GROUP ARCHITECTS.
 2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 3. ALL UNIT ELEVATION WALLS ARE 6.0 FEET THICK. ALL CURBAGE LEVEL WALLS ARE 3.7 FEET THICK.
 4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
 5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF COMMON AREAS.
 6. EROSION/RETAIN: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION.
 7. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
 8. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERpendicular.
 9. [Symbol] INDICATES STREET ADDRESS.
- TO THE ALPINE RETREAT OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON SANITARY SEWER LATERALS AND PARALLELS.

UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	0	0	852	947	0	852
MAIN LEVEL	1028	1228	1063	1063	441	863
BASEMENT LEVEL	0	258	0	0	0	0
TOTAL	1028	1488	1840	1840	441	1840

RECORD OF SURVEY MAP
ALPINE RETREAT
 @ PARK CITY
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE NEAREST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASIN AND MOUNTAIN PARK CITY, SALT LAKE COUNTY, UTAH.
 Recorded County/Year/Book to the Department of Communities and Regional Development of Park City.

SHEET 5 OF 5

RECEIVED
 MAR 13 2001
 PARK CITY
 PLANNING DEPT.

JOB NO. 8-2-00 FILE: 180116-DW01075

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____ BOOK _____ PAGE _____
 DATE _____ TIME _____
 FEE _____ RECORDER _____



Ordinance No. 01-11

**AN ORDINANCE APPROVING A FINAL RECORD OF SURVEY PLAT
FOR 1305 LOWELL AVENUE, KNOWN AS MOUNTAINSIDE PHASE II,
PARK CITY , UTAH**

WHEREAS, the owner of the property at 1305 Lowell Avenue, known as Mountainside Phase II, petitioned the City Council for approval of a final record of survey plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 28, 2001 to receive input on the record of survey plat; and

WHEREAS, on April 19, 2001 the City Council reviewed the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final record of survey plat for 1305 Lowell Avenue.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the RC-MPD zoning district.
2. The property is subject to the Park City Mountain Resort Large Scale Master Plan.
3. The property is subject to the CUP for Parcel A of the PCMR Master Plan that was approved in April of 1998. The project consists of 182 units. Phase II consists of 68 units.
4. The proposed plat allows the property to be sold as timeshare condominiums.
5. A financial guarantee for all public improvements, including all public trails, landscaping, and sidewalks, is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the

developer or owner. Proper maintenance of utilities is necessary for the public's health, safety, and welfare.

6. On March 28, 2001 the Planning Commission held a public hearing and voted to forward to City Council a positive recommendation to approve the plat.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey plat, that neither the public nor any person will be materially injured by the proposed plat.. The final plat is consistent with both the Park City Land Management Code and State condominium requirements.

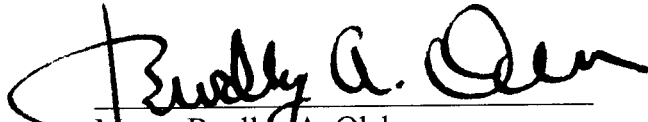
SECTION 3. PLAT APPROVAL. The final record of survey plat for 1305 Lowell Avenue, known as Marriott Mountainside Phase II, is approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer shall review and approve the final form and content of the record of survey and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the record of survey.
2. All conditions of approval for the Parcel A CUP shall apply.
3. All standard project conditions shall apply.
4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to record of survey recordation. All public improvements, including public trails, sidewalks, and landscaping shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. The final condominium record of survey shall be recorded at the County within one year of the date of City Council approval. If recordation has not occurred within the one year time frame this approval and the record of survey shall be considered null and void.
6. Prior to plat recordation, a maintenance agreement approved as to content by the City Engineer and approved as to form by the City Attorney shall have been executed to establish maintenance responsibility for the water lines and their related appurtenances, unless existing agreements are satisfactory.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

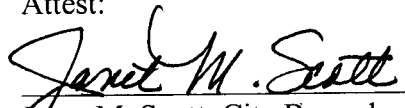
PASSED AND ADOPTED this 19th day of April, 2001.

PARK CITY MUNICIPAL CORPORATION

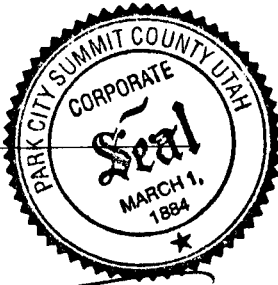


Mayor Bradley A. Olch

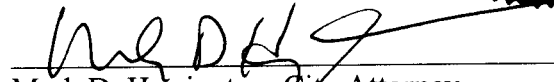
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

SURVEYOR'S CERTIFICATE

I, Kenneth W. Watson, do hereby certify that I am a Registered Civil Engineer under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a Supplemental Record of Survey Map of MountainSide Phase 2, A Condominium Project, and that it complies with the provisions of Section 97-9-1.5 (1) of the Utah Condominium Ownership Act.

BOUNDARY DESCRIPTION (LOTS A2, AND A3) PHASE 2

ALL OF LOTS A2 AND A3 MORE PARTICULARLY DESCRIBED AS FOLLOWS: A POINT WHICH LIES NORTH 89°34'31" WEST 1272.65 FEET ALONG THE SECTION LINE, AND SOUTH 07°09' FEET, AND SOUTH 30°28'00" EAST 215.34 FEET FROM THE NORTH QUARTER CORNER OF SAID POINT BEING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF LOWELL AVENUE AND THE CENTER LINE OF VACATED 13TH (CALHOUN) STREET, AND THENCE THENCE ALONG SAID CENTER LINE S70°53'57" WEST 20.87 FEET, THENCE NORTH 57°00'00" EAST 2.38 FEET, THENCE NORTH 57°21'50" WEST 81.29 FEET, THENCE NORTH 57°00'00" EAST 80.00 FEET, THENCE NORTH 28°51'50" WEST 27.21 FEET, THENCE NORTH 57°00'00" EAST 171.11 FEET, THENCE NORTH 57°00'00" EAST 22.87 FEET, THENCE NORTH 30°28'00" EAST 119.50 FEET TO THE POINT OF BEGINNING. CONTAINS 1.11 ACRES



KENNETH W. WATSON, P.E.L.S.
REG. PROFESSIONAL LAND SURVEYOR (#152300)
DATE 1/09/01

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the undersigned, Merritt Ownership Resorts, Inc., a Delaware Corporation, at the request of the Utah State Surveyor, has caused to be recorded this Supplemental Record of Survey Map in accordance with Utah Code Annotated Sections 97-9-1.5, whereby the land is subdivided into condominium units, and the undersigned, Merritt Ownership Resorts, Inc., does hereby consent to the recording of this Supplemental Record of Survey Map for the purpose of providing title services to the property, and the installation, use, maintenance, and eventual replacement of utilities.

Witness my hand and seal of office on this 11th day of January, 2001.
Merritt Ownership Resorts, Inc.
A Delaware Corporation
By *[Signature]*
Vice President

MOUNTAINSIDE PHASE 2, UTAH SUPPLEMENTAL RECORD OF SURVEY MAP

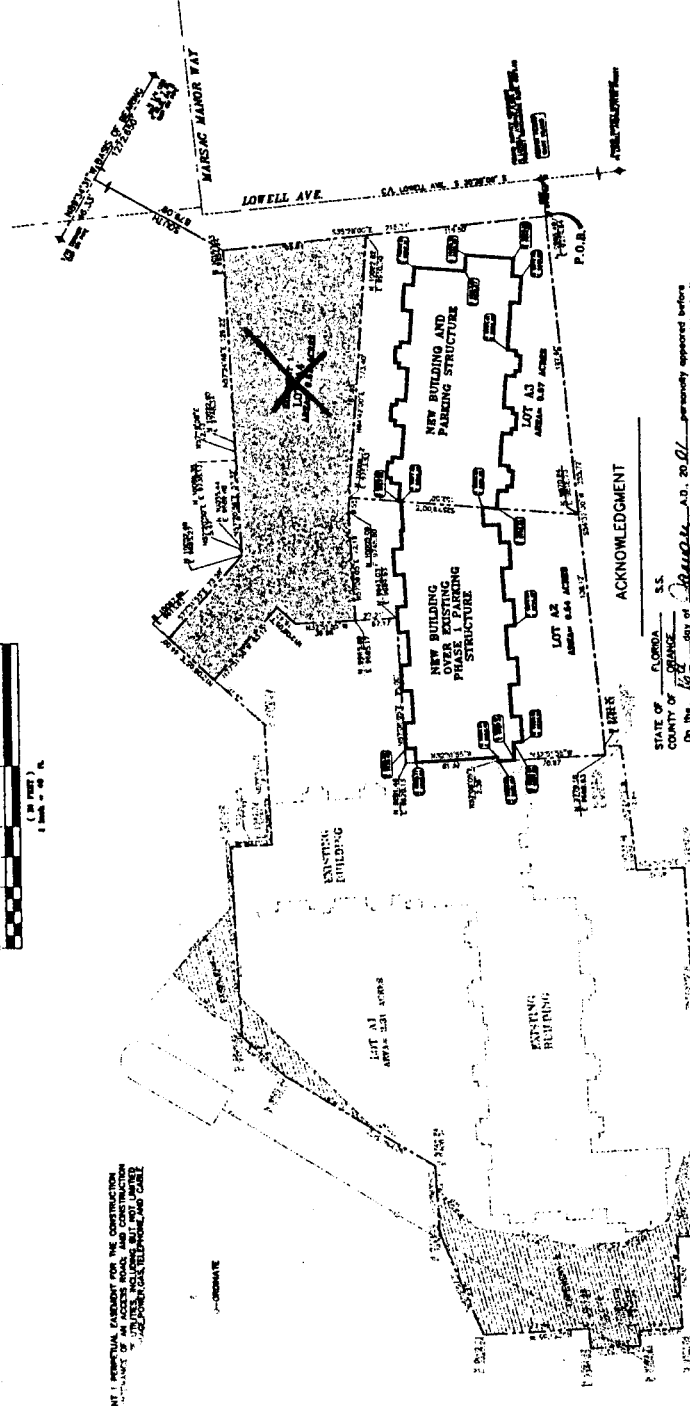
LOCATED IN THE NORTHWEST 1/4 OF SECT. 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.A.B.M. PARK CITY, SUMMIT COUNTY, UTAH
SHEET 1 OF 1

RECORDED 11 BY C. J. [Signature]
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____
SUMMIT COUNTY RECORDER

BOUNDARY DESCRIPTION OF PARCELS 1 (LOT A4) BEGINNING AT THE SOUTHEAST CORNER OF THE PLAZA HOTEL CONDOMINIUMS ACCORDING TO THE RECORD OF SURVEY MAP RECORDED MARCH 11, 1993, ENTRY #55981 IN THE SUMMIT COUNTY RECORDS, THENCE S70°53'57" WEST 20.87 FEET, THENCE S70°53'57" WEST 20.87 FEET, THENCE SOUTH 07°09' FEET FROM THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF LOWELL AVENUE AND THE CENTER LINE OF VACATED 13TH (CALHOUN) STREET, AND THENCE ALONG SAID CENTER LINE S70°53'57" WEST 20.87 FEET, THENCE NORTH 57°00'00" EAST 2.38 FEET, THENCE NORTH 57°21'50" WEST 81.29 FEET, THENCE NORTH 57°00'00" EAST 80.00 FEET, THENCE NORTH 28°51'50" WEST 27.21 FEET, THENCE NORTH 57°00'00" EAST 171.11 FEET, THENCE NORTH 57°00'00" EAST 22.87 FEET, THENCE NORTH 30°28'00" EAST 119.50 FEET TO THE POINT OF BEGINNING. CONTAINS 0.51 ACRES

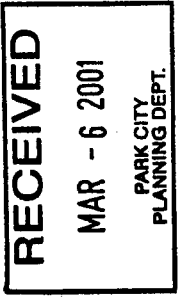


GRAPHIC SCALE
1 inch = 5 feet



ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF SUMMIT, ss.
On this 9th day of January, A.D. 2001, I, _____, County Clerk of Summit County, Utah, do hereby certify that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Corporation and hereby acknowledged by me that said Corporation entered into said Record.



PARK CITY COUNCIL
RESOLVED TO THE PARK CITY ENGINEERING PROJECT WAS APPROVED AND ACCEPTED.

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ A.D. 20 _____ DAY OF _____

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
APPROVED THIS _____ DAY OF _____ A.D. 20 _____

ENGINEERS CERTIFICATE
APPROVED THIS _____ DAY OF _____ A.D. 20 _____

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____ A.D. 20 _____
BY THE PARK CITY PLANNING COMMISSION

PARK CITY MAYOR

PARK CITY ATTORNEY

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

ENGINEERS CERTIFICATE

PLANNING COMMISSION

NOTE: REFER TO MOUNTAINSIDE PHASE 1 RECORD OF SURVEY MAP FOR ALL RECORDED SNYDERVILLE SEWER IMPROVEMENT DIST. SANITARY SEWER EASEMENTS.

LEGEND
--- PRIVATE
--- ASPHALT

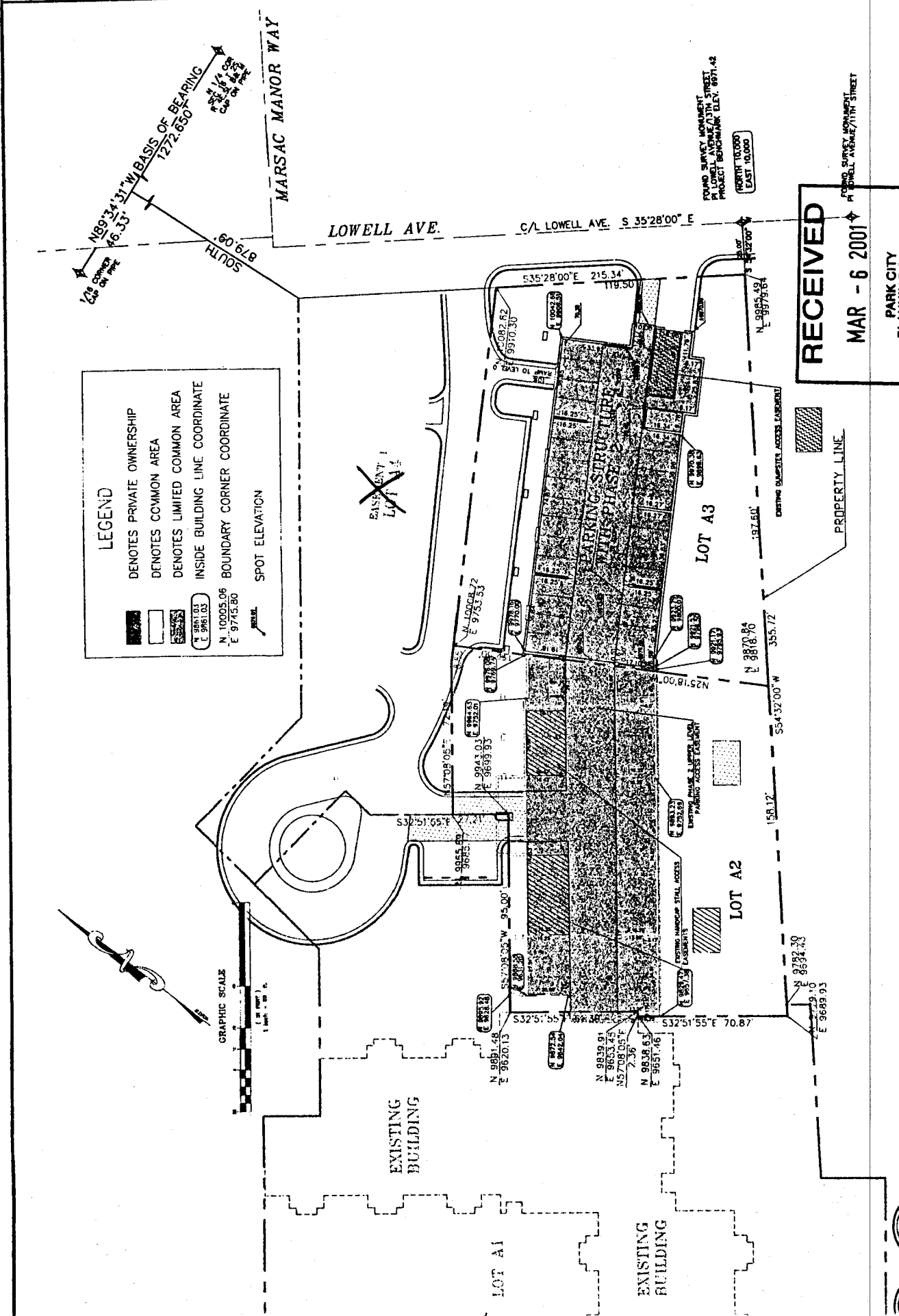
EXHIBIT A.

1	OWNER'S PLAN NO. 11/20/00
2	OWNER'S PLAN NO. 11/20/00
3	OWNER'S PLAN NO. 11/20/00
4	OWNER'S PLAN NO. 11/20/00
5	OWNER'S PLAN NO. 11/20/00
6	OWNER'S PLAN NO. 11/20/00
7	OWNER'S PLAN NO. 11/20/00
8	OWNER'S PLAN NO. 11/20/00
9	OWNER'S PLAN NO. 11/20/00
10	OWNER'S PLAN NO. 11/20/00
11	OWNER'S PLAN NO. 11/20/00
12	OWNER'S PLAN NO. 11/20/00
13	OWNER'S PLAN NO. 11/20/00
14	OWNER'S PLAN NO. 11/20/00
15	OWNER'S PLAN NO. 11/20/00
16	OWNER'S PLAN NO. 11/20/00
17	OWNER'S PLAN NO. 11/20/00
18	OWNER'S PLAN NO. 11/20/00
19	OWNER'S PLAN NO. 11/20/00
20	OWNER'S PLAN NO. 11/20/00

STANTEC CONSULTING INC.
 1908 S 200 E SUITE 300
 SALT LAKE CITY, UT 84143
 TEL: 801.281.0090
 FAX: 801.281.1871
 www.stantec.com

MOUNTAINSIDE PHASE 2
 PARK CITY, UTAH
 AIRSPACE DRAWINGS
 LEVEL 1 (PARKING)

Sheet Number
 3 of 10

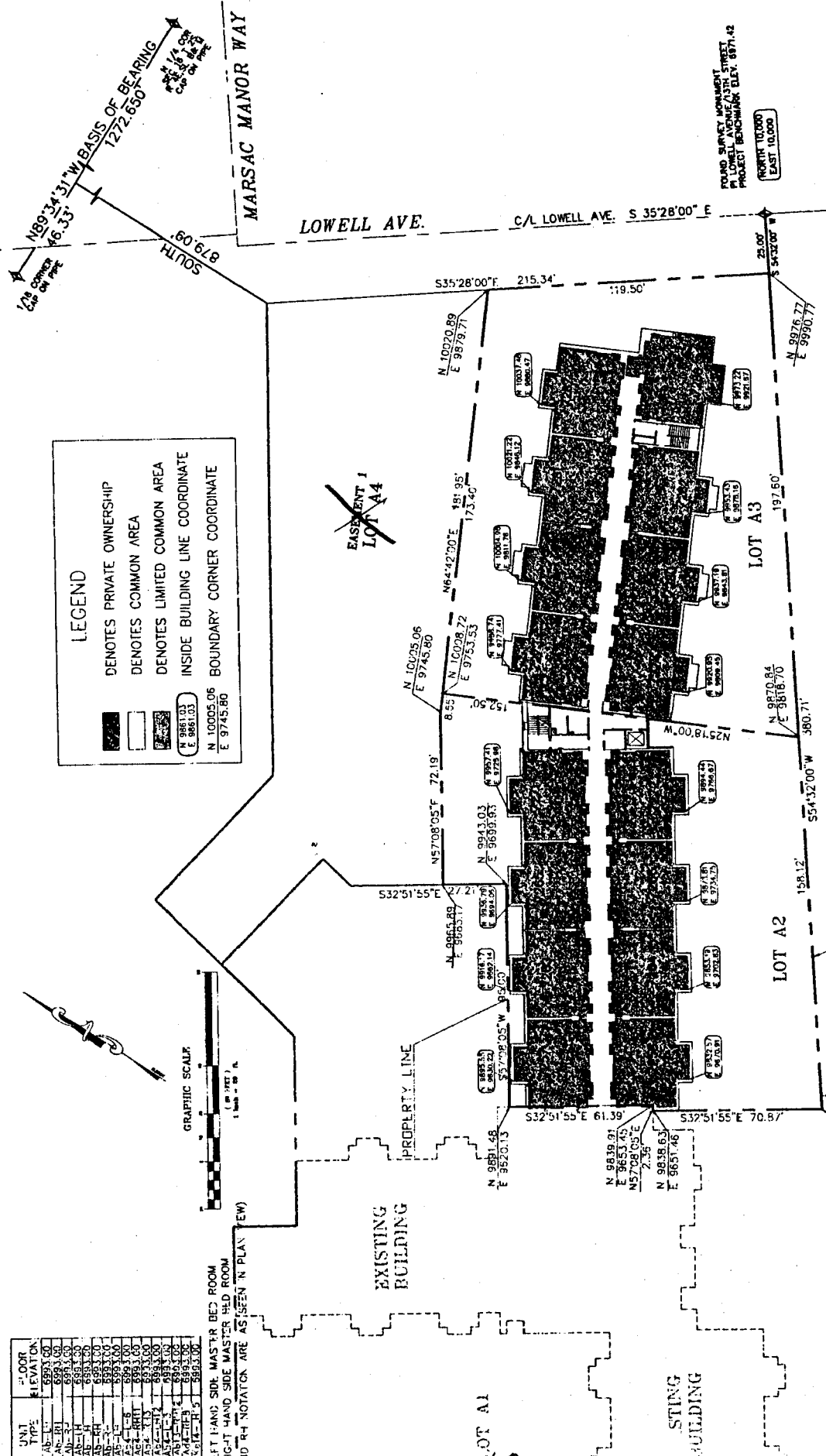


NO.	REVISIONS	DATE
1	CHANGES PER MR. STEWART	11/27/00
2		12/11/01
3		11/27/02

Startec
 3985 S 700 E SUITE 300
 SALT LAKE CITY, UT 84107-2540
 TEL: 801.281.0280
 FAX: 801.281.1871
 www.startec.com

MOUNTAINSIDE PHASE 2
PARK CITY, UTAH
AIRSPACE DRAWINGS
PLAN VIEW LEVEL 2

Sheet Number
4 of 16



LEGEND

- DENOTES PRIVATE OWNERSHIP
- DENOTES COMMON AREA
- ▨ DENOTES LIMITED COMMON AREA
- INSIDE BUILDING LINE COORDINATE
- BOUNDARY CORNER COORDINATE

N 10005.06
 E 9745.80
 N 9861.03
 E 9661.03

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PARK CITY
PLANNING DEPT.

UNIT TYPE	FLOOR ELEVATION
AB-L	6593.00
AB-R	6593.00
AL-L	6593.00
AL-R	6593.00
AS-L	6593.00
AS-R	6593.00
AT-L	6593.00
AT-R	6593.00
AW-L	6593.00
AW-R	6593.00
AX-L	6593.00
AX-R	6593.00
AY-L	6593.00
AY-R	6593.00
AZ-L	6593.00
AZ-R	6593.00

LEFT HAND SIDE MASTER BED ROOM
 RIGHT HAND SIDE MASTER BED ROOM
 ID-RH NOTATION ARE AS SEEN IN PLAN VIEW



42

NO.	DATE	BY	REVISION
1	11/20/00	CM	ISSUED FOR PERMITS
2	11/20/00	CM	CHANGES FOR MR. STRATTON
3	11/20/00	CM	ISSUED FOR PERMITS

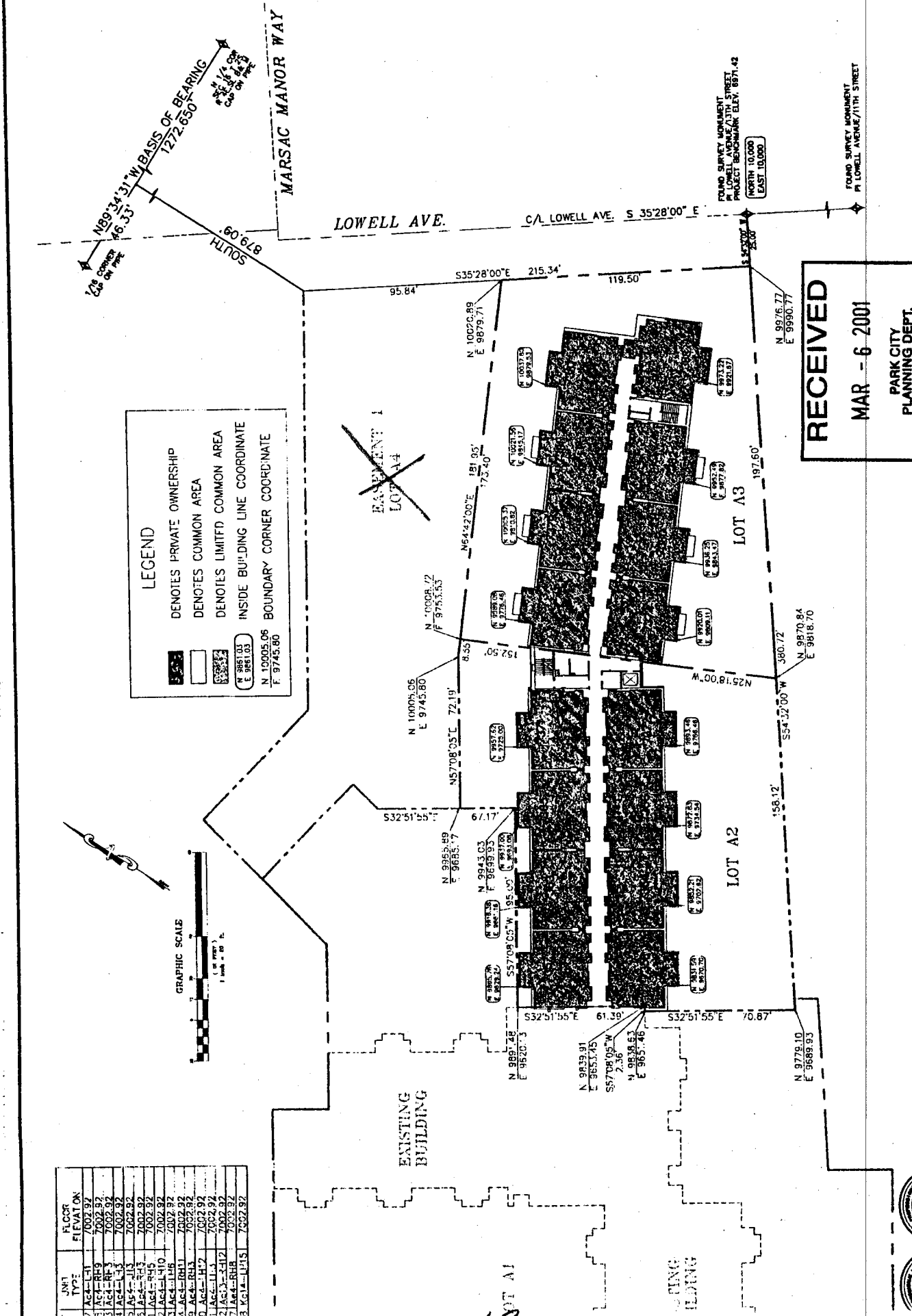
STANTEC CONSULTING INC.
 3995 S 700 E SUITE 300
 SALT LAKE CITY, UT 84107-2940
 TEL: 801.221.0090
 FAX: 801.266.1871
 WWW.STANTEC.COM

PROJECT NUMBER: 100005.06
 PROJECT NAME: MOUNTAIN SIDE PHASE 2
 CLIENT: PARK CITY, UTAH
 DATE: 11/20/00



MOUNTAIN SIDE PHASE 2
 PARK CITY, UTAH
 AIRSPACE DRAWINGS
 PLAN VIEW LEVEL 3

Sheet Number
 5 of 10



LEGEND

- DENOTES PRIVATE OWNERSHIP
- DENOTES COMMON AREA
- DENOTES LIMITED COMMON AREA
- INSIDE BUILDING LINE COORDINATE
- BOUNDARY CORNER COORDINATE

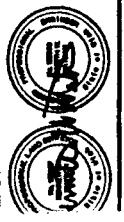
N 10005.06
E 9745.80

F 9745.80



UNIT TYPE	FLOOR ELEVATION
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7 AC4-11R9	7002.97
3 AC4-11R3	7002.97
3 AC4-11R4	7002.97
3 AC4-11R5	7002.97
3 AC4-11R6	7002.97
3 AC4-11R7	7002.97
3 AC4-11R8	7002.97
3 AC4-11R9	7002.97
3 AC4-11R10	7002.97
3 AC4-11R11	7002.97
3 AC4-11R12	7002.97
3 AC4-11R13	7002.97
3 AC4-11R14	7002.97
3 AC4-11R15	7002.97
3 AC4-11R16	7002.97
3 AC4-11R17	7002.97
3 AC4-11R18	7002.97
3 AC4-11R19	7002.97
3 AC4-11R20	7002.97
3 AC4-11R21	7002.97
3 AC4-11R22	7002.97
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3 AC4-11R24	7002.97
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3 AC4-11R33	7002.97
3 AC4-11R34	7002.97
3 AC4-11R35	7002.97
3 AC4-11R36	7002.97
3 AC4-11R37	7002.97
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3 AC4-11R39	7002.97
3 AC4-11R40	7002.97
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3 AC4-11R98	7002.97
3 AC4-11R99	7002.97
3 AC4-11R100	7002.97

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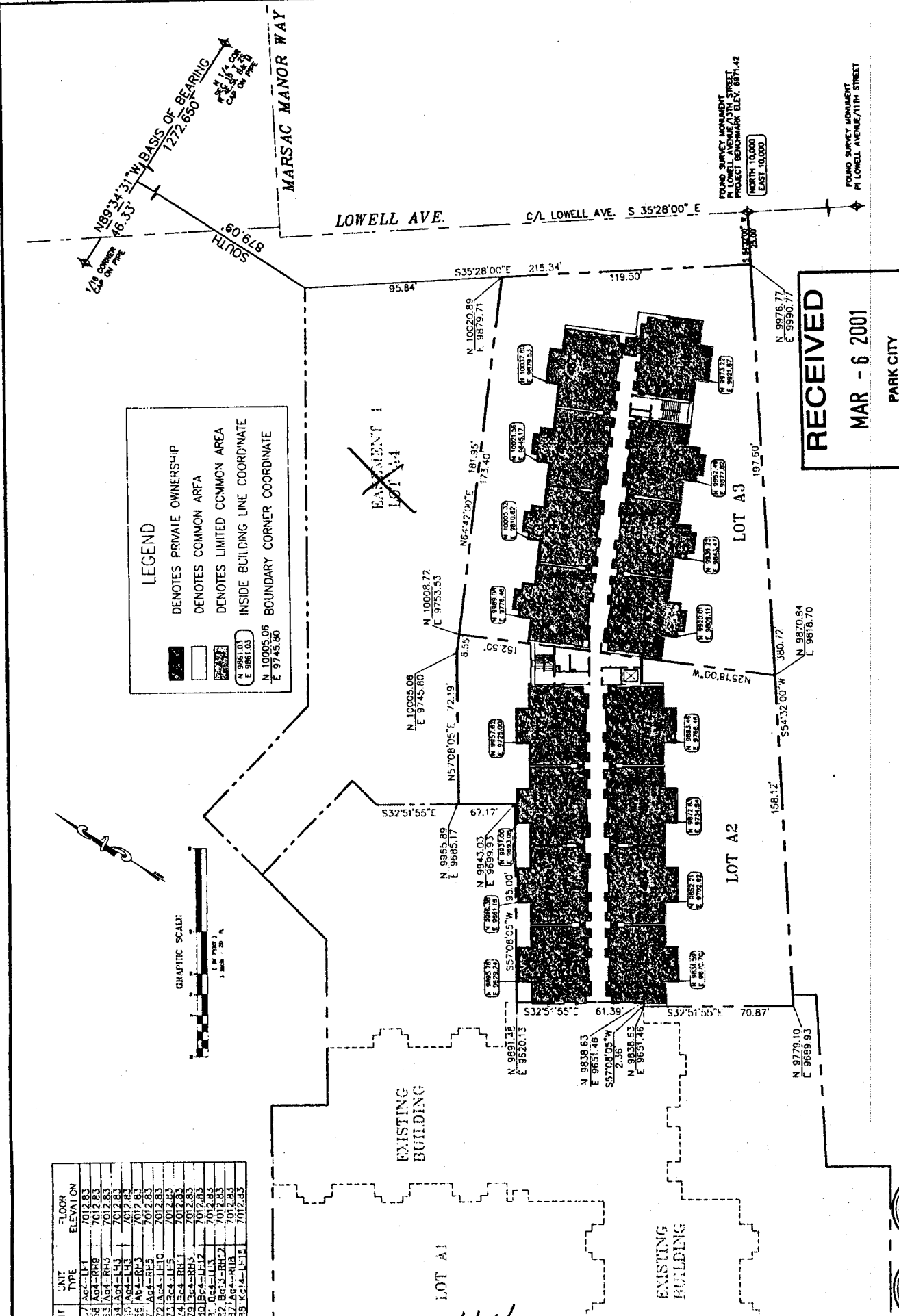


43

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32	AG-1-1R5	7072.83
33	AG-1-1R6	7072.83
34	AG-1-1R7	7072.83
35	AG-1-1R8	7072.83
36	AG-1-1R9	7072.83
37	AG-1-1R10	7072.83
38	AG-1-1R11	7072.83
39	AG-1-1R12	7072.83
40	AG-1-1R13	7072.83
41	AG-1-1R14	7072.83
42	AG-1-1R15	7072.83
43	AG-1-1R16	7072.83
44	AG-1-1R17	7072.83
45	AG-1-1R18	7072.83
46	AG-1-1R19	7072.83
47	AG-1-1R20	7072.83
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LEGEND

- DENOTES PRIVATE OWNERSHIP
- DENOTES COMMON AREA
- DENOTES LIMITED COMMON AREA
- INSIDE BUILDING LINE COORDINATE
- BOUNDARY CORNER COORDINATE



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 Salt Lake City, UT 84119
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 www.stantec.com

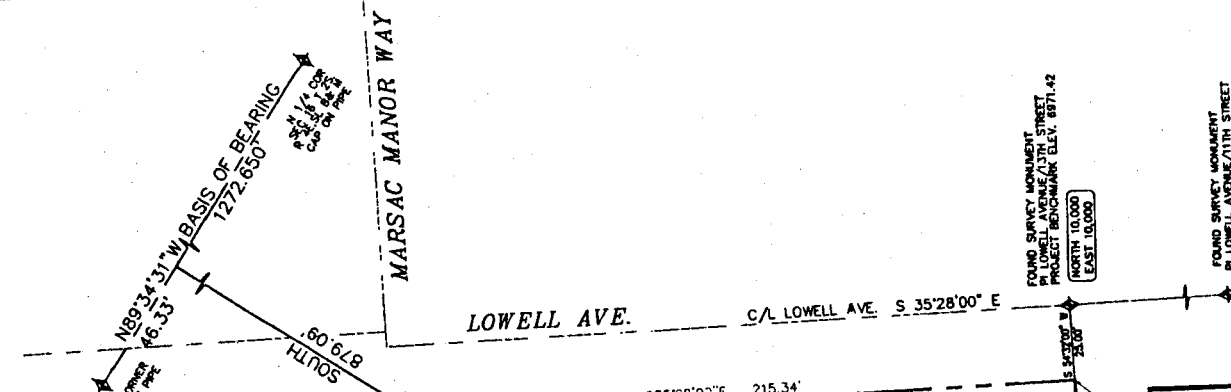
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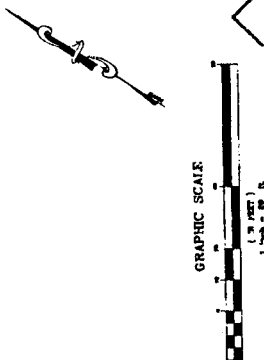
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01/17/2001

STANTEC CONSULTING INC.
 3995 S 700 E STE 300
 SALT LAKE CITY, UT 84119
 TEL: 801.281.1871
 FAX: 801.281.0090
 84107-2540
 WWW.STANTEC.COM

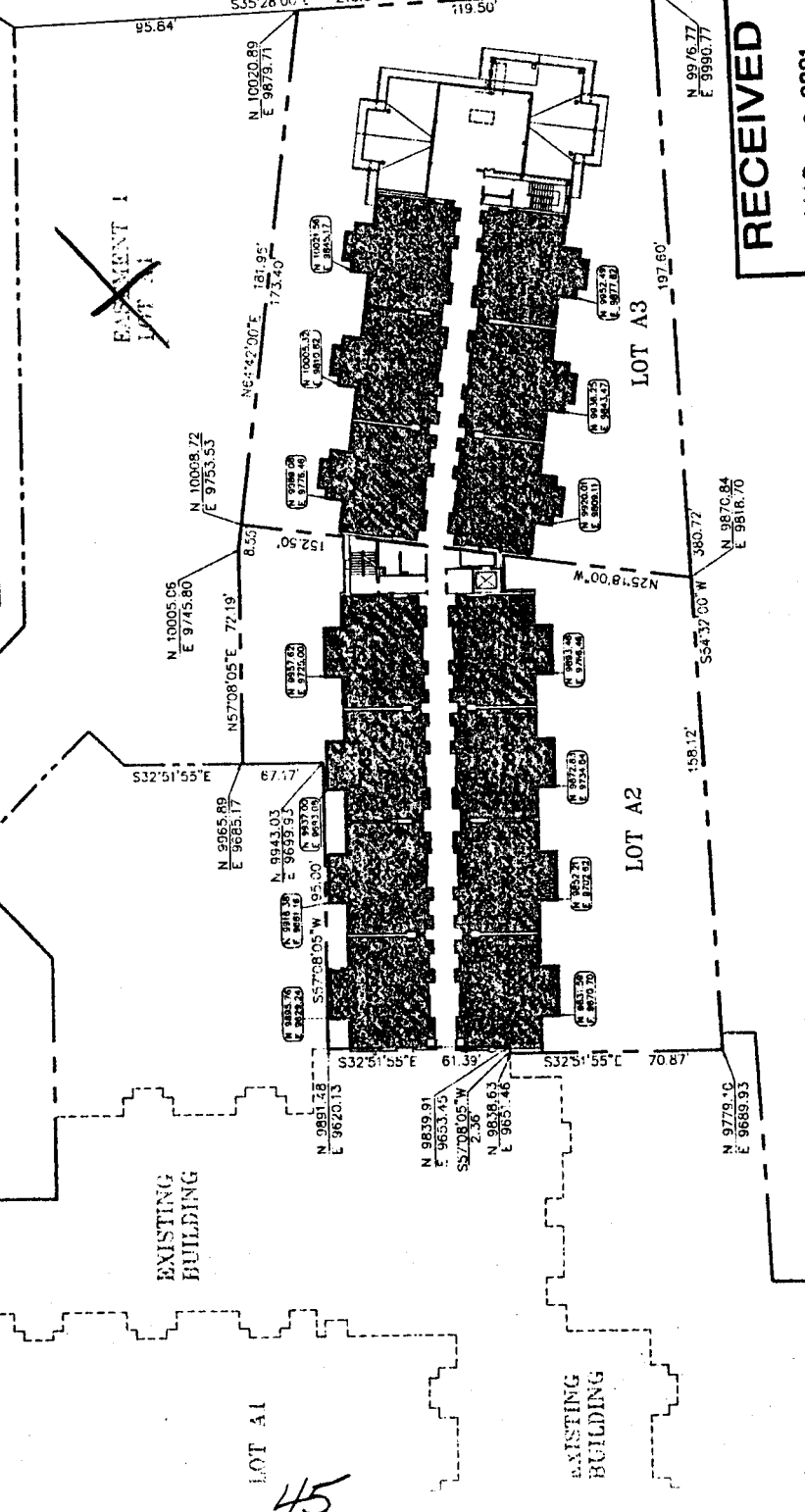


LEGEND

- DENOTES PRIVATE OWNERSHIP
- DENOTES COMMON AREA
- DENOTES LIMITED COMMON AREA
- INSIDE BUILDING LINE COORDINATE
- BOUNDARY CORNER COORDINATE



UNIT TYPE	FLOOR ELEVATION
7 Ac4-LH1	7022.75
5 Ac4-RH9	7022.75
5 Ac4-RH3	7022.75
5 Ac4-LH3	7022.75
6 Ac4-RH5	7022.75
1 Ac4-LH1	7022.75
3 Ac4-LH7	7022.75
4 Ac4-RH11	7022.75
3 Ac4-RH3	7022.75
1 Ac4-LH12	7022.75
2 Ac4-RH12	7022.75



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45

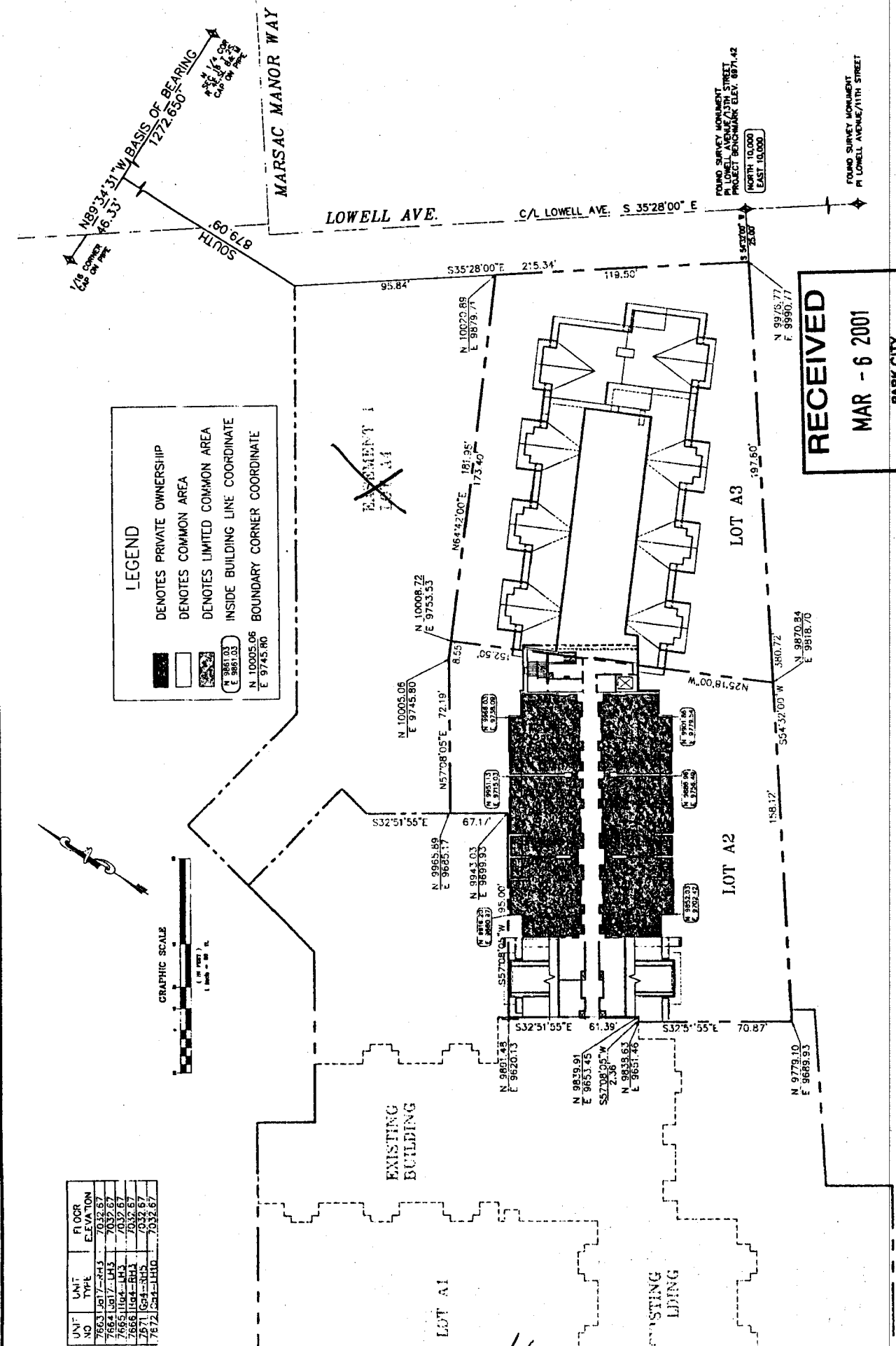
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04/15/01	
05/15/01	
06/15/01	
07/15/01	
08/15/01	
09/15/01	
10/15/01	
11/15/01	
12/15/01	

Surveying & Mapping
 3000 S. 1000 E. Suite 200
 Salt Lake City, UT 84143
 Phone: (801) 281-1871
 Fax: (801) 281-0090
 Email: info@scs.com



MOUNTAINSIDE PHASE 2
 PARK CITY, UTAH
 PLAN VIEW LEVEL 6

Sheet Number
 8 of 18



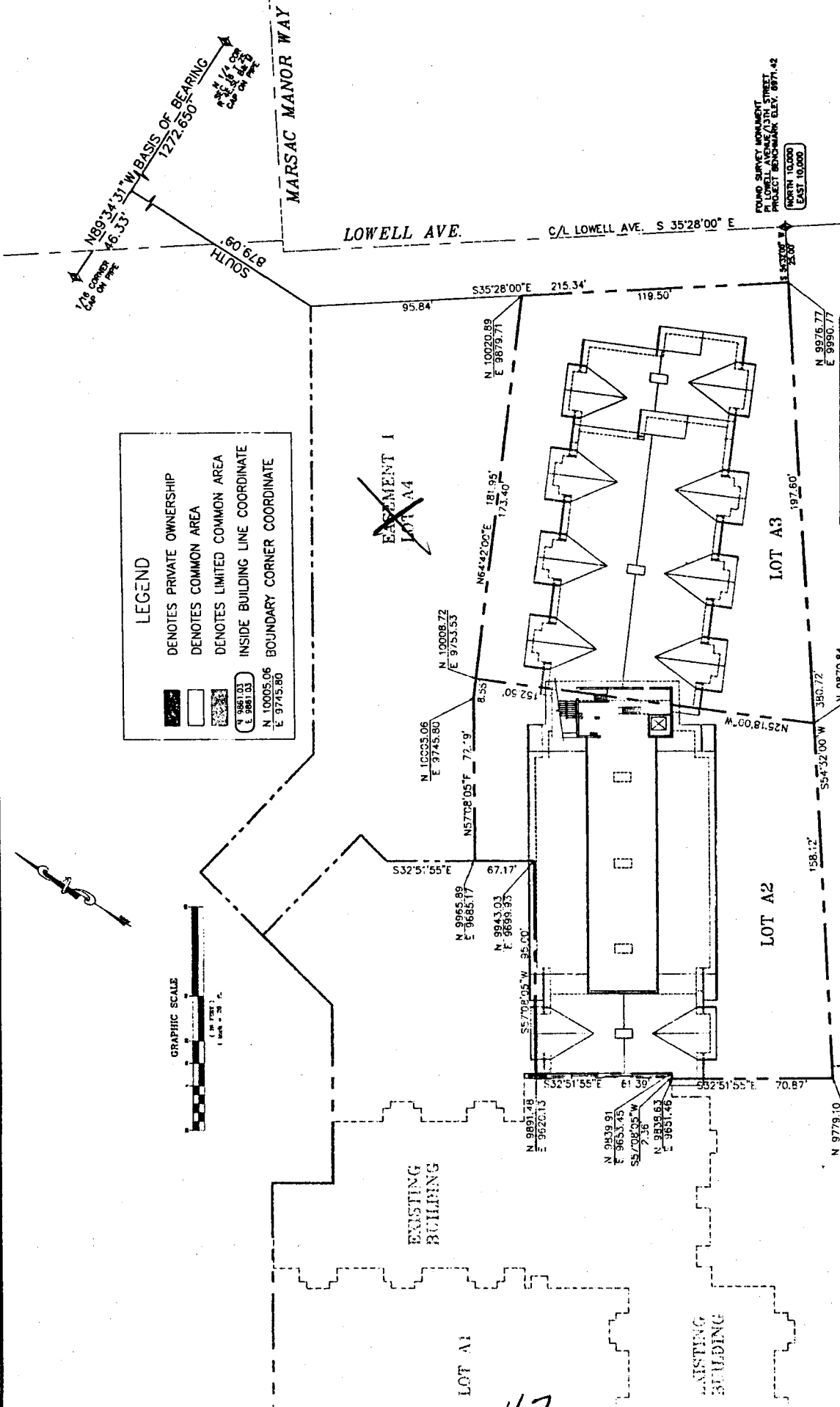
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7664	Lot 17 - LH3	7032.67
7665	Lot 14 - LH3	7032.67
7666	Lot 14 - RH3	7032.67
7671	Lot 4 - RH3	7032.67
7672	Lot 4 - LH3	7032.67

46



NO.	REVISION	DATE	BY	APP'D.
1	CHANGES FOR PERMITS	11/20/02		
2		11/20/02		

Stattec
 1945 S 700 E Ste. 300
 Salt Lake City, UT
 801-261-0200
 Fax: 801-261-1871
 Stattec Consulting Inc.
 1945 S 700 E Ste. 300
 Salt Lake City, UT
 801-261-0200
 Fax: 801-261-1871



LEGEND

- DENOTES PRIVATE OWNERSHIP
- DENOTES COMMON AREA
- DENOTES LIMITED COMMON AREA
- INSIDE BUILDING LINE COORDINATE
- BOUNDARY CORNER COORDINATE

N. 9861.03
 E. 9861.03
 N. 10005.06
 E. 9745.80

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 PARK CITY
 PLANNING DEPT.

47

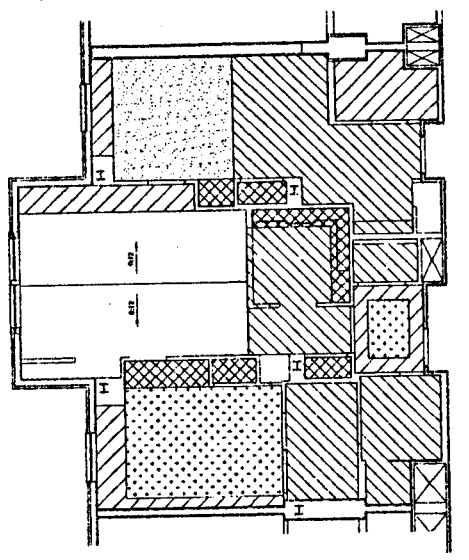


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11/20/03	CH	22
11/20/03	CH	23
11/20/03	CH	24
11/20/03	CH	25
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11/20/03	CH	27
11/20/03	CH	28
11/20/03	CH	29
11/20/03	CH	30

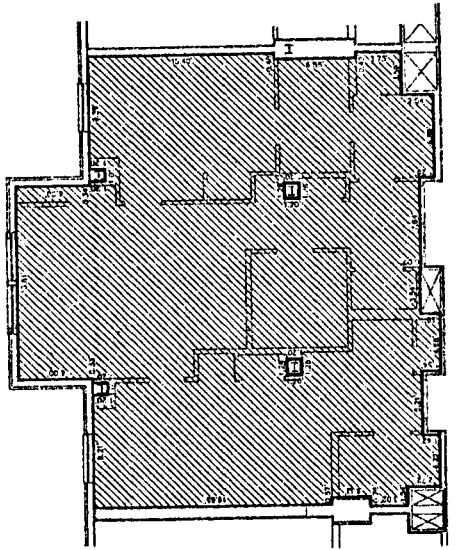
STANTEC CONSULTING INC.
 5985 S 700 E SUITE 300
 SALT LAKE CITY, UT 84127-2340
 TEL: 801.281.0090
 FAX: 801.286.1871
 www.stantec.com

MOUNTAINSIDE PHASE 2
 PARK CITY, UTAH
 AIRSPACE DRAWINGS
 TYPICAL FLOOR PLANS

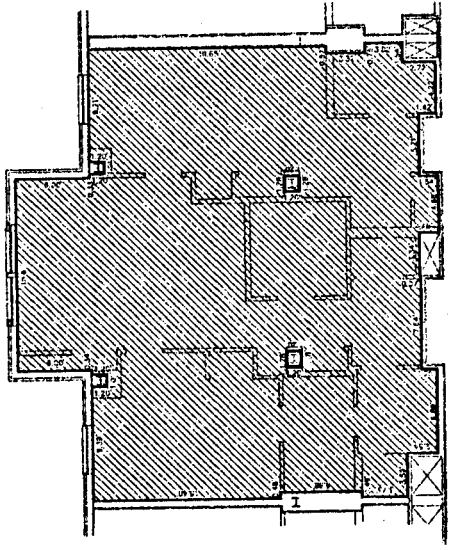
Sheet Number
 11 of 16



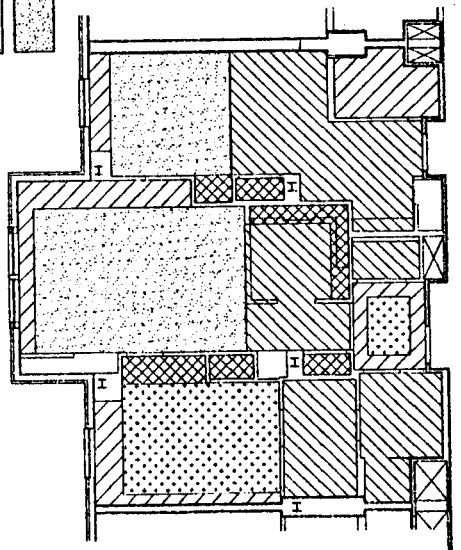
REFLECTED CEILING PLAN
 UNIT A0 (UNITS 7557 & 7558 ONLY)



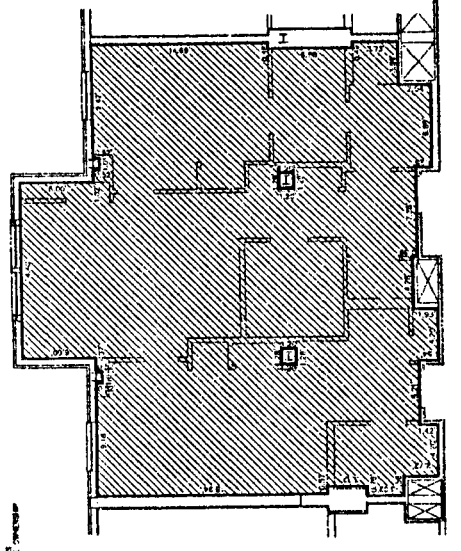
FLOOR PLAN, UNIT TYPE A0 AND Ae, RH
 PRIVATE OWNERSHIP AREA = ±1200 SF.



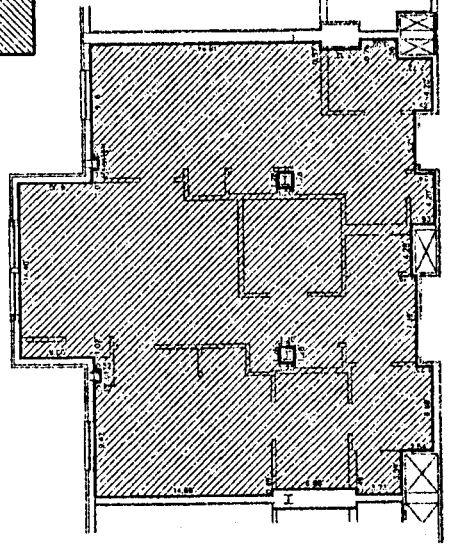
FLOOR PLAN, UNIT TYPE A0, LH
 PRIVATE OWNERSHIP AREA = ±1200 SF.



REFLECTED CEILING PLAN
 UNIT Ab, Ac, Ad, Ae



FLOOR PLAN, UNIT TYPE Ab AND Ad, RH
 PRIVATE OWNERSHIP AREA = ±1200 SF.



FLOOR PLAN, UNIT TYPE Ab, LH
 PRIVATE OWNERSHIP AREA = ±1200 SF.

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SCALE: 1 INCH = 5 FEET



64

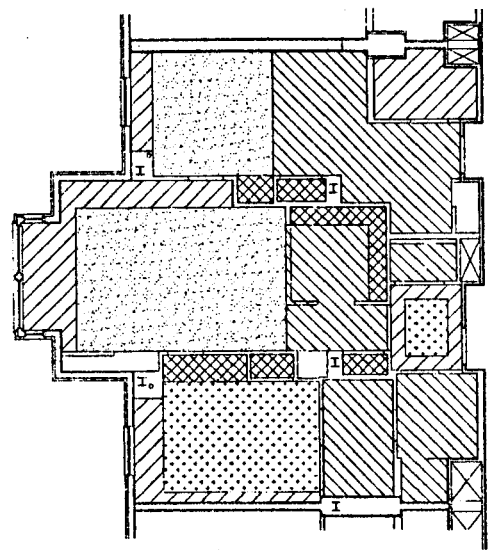
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3	11/18/00	REVISIONS PER MR. STAFFEN
4	11/18/00	
5	11/18/00	
6	11/18/00	
7	11/18/00	
8	11/18/00	
9	11/18/00	
10	11/18/00	

PROJECT NUMBER: 000000
 PROJECT NAME: 500 S 200 E 500 S
 SHEET NUMBER: 12 OF 16
 DATE: 11/18/00
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT LOCATION: [Address]
 CLIENT: [Name]
 CONTRACTOR: [Name]
 ARCHITECT: [Name]
 ENGINEER: [Name]
 LICENSE NO.: [Number]
 STATE: [State]
 PROJECT: [Project Name]
 SHEET: [Sheet Number]
 DATE: [Date]

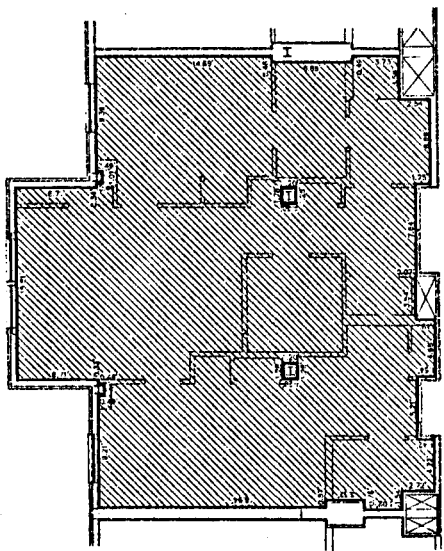
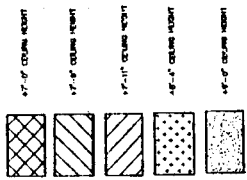


MOUNTAINSIDE PHASE 2
PARK CITY, UTAH
AIRSPACE DRAWINGS
TYPICAL FLOOR, REFLECTED CEILING PLANS

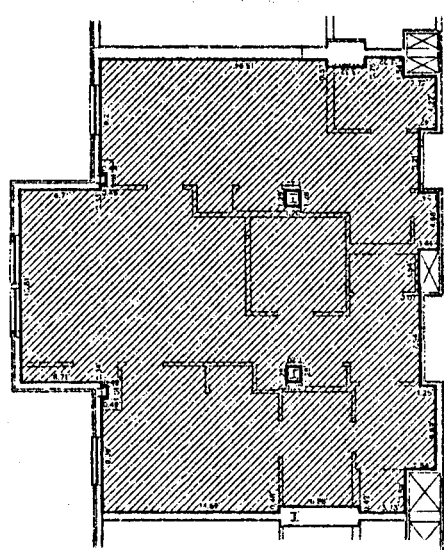
Sheet Number
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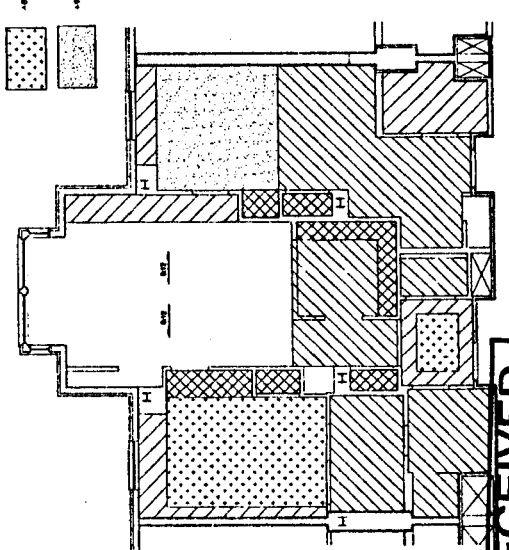
UNIT Bg (4th FLOOR UNITS)



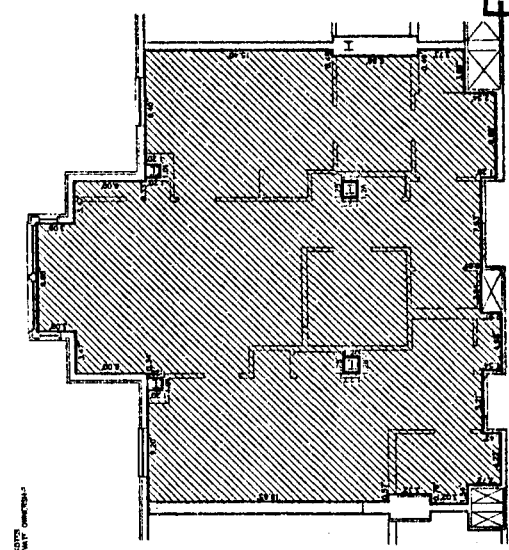
FLOOR PLAN, UNIT TYPE Ag RH
 (For Vertical Height see page 11 of 15)
 PRIVATE OWNERSHIP AREA = 1,1200 SF.



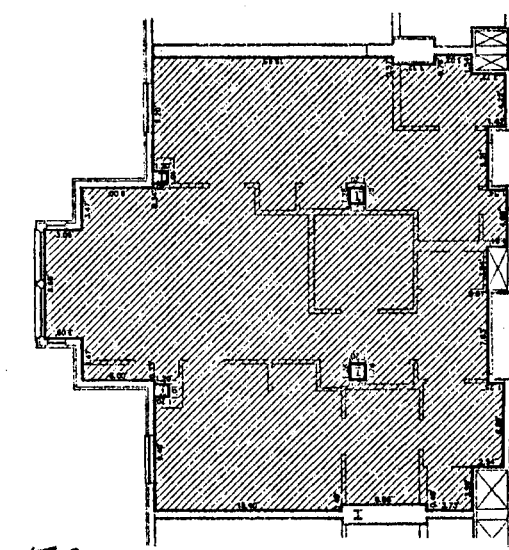
FLOOR PLAN, UNIT TYPE Bg LH
 (For Vertical Height see page 11 of 15)
 PRIVATE OWNERSHIP AREA = 1,1200 SF.



UNIT Bg (5th FLOOR UNITS)



FLOOR PLAN, UNIT TYPE Bg RH
 WITH LIVING ROOM W/BAY
 PRIVATE OWNERSHIP AREA = 1,1200 SF.



FLOOR PLAN, UNIT TYPE Bg LH
 WITH LIVING ROOM W/BAY
 PRIVATE OWNERSHIP AREA = 1,1200 SF.

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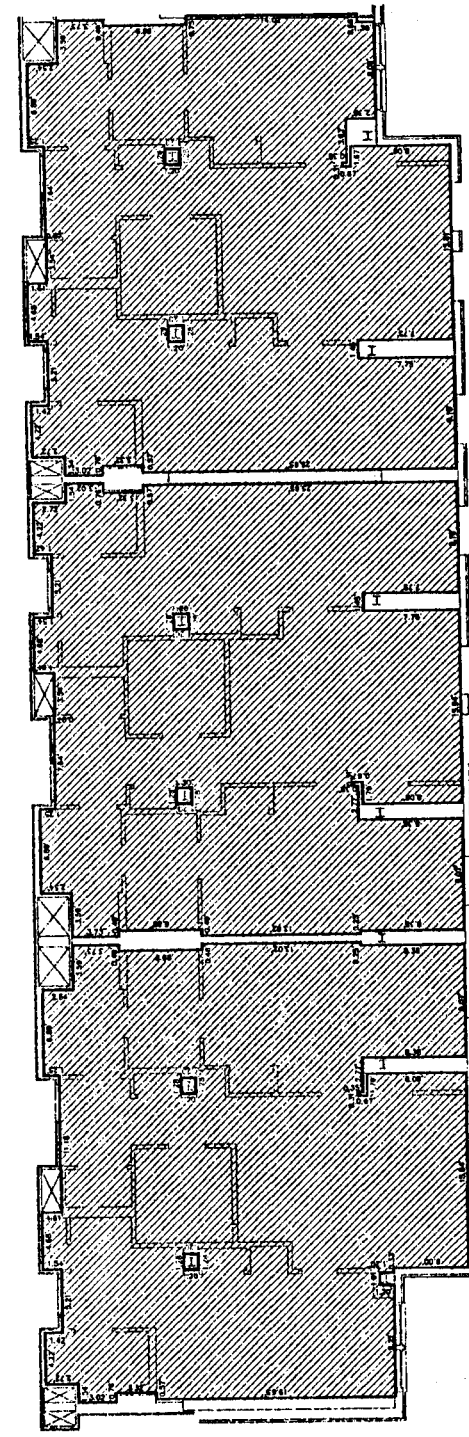
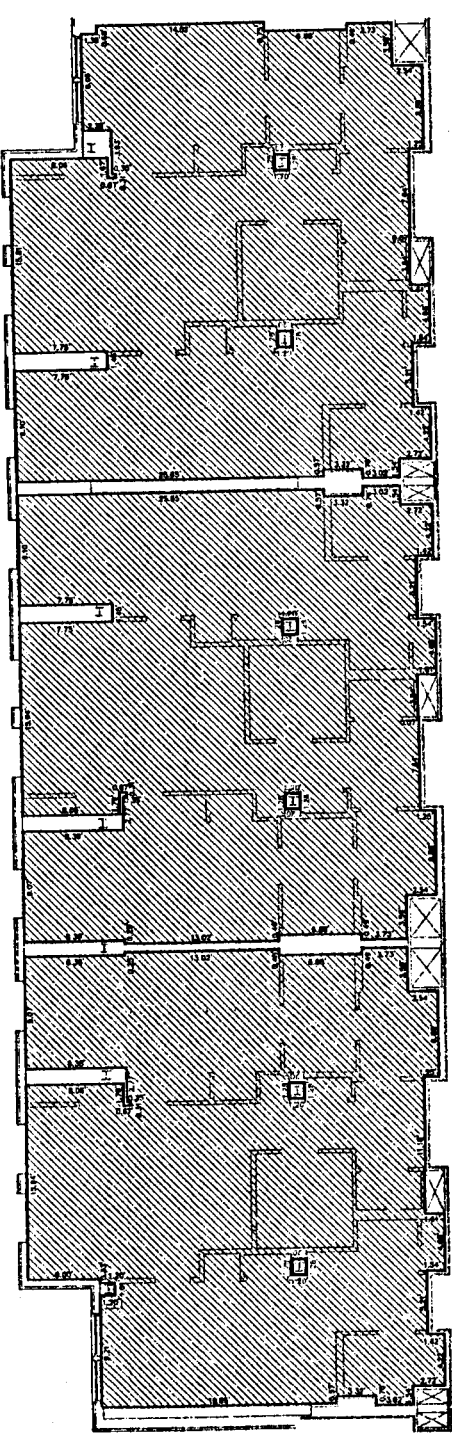
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3	01/18/01	CHANGES PER MR. MOORE
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7	05/15/01	
8	06/15/01	
9	07/15/01	
10	08/15/01	
11	09/15/01	
12	10/15/01	

STATTEC
 385 S. 100 E. SUITE 200
 SALT LAKE CITY, UT 84107-2940
 TEL: 801.261.0090
 FAX: 801.261.1871
 stattec.com

UNIT C6-RH MASTER BEDROOM (UNIT 7671)
 PRIVATE OWNERSHIP AREA = ±1200 S.F.

UNIT H9-LH MASTER BEDROOM (UNIT 7665)
 PRIVATE OWNERSHIP AREA = ±1200 S.F.

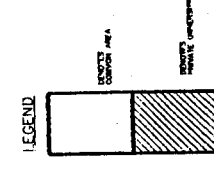
UNIT J0-RH MASTER BEDROOM (UNIT 7663)
 PRIVATE OWNERSHIP AREA = ±1200 S.F.



UNIT G0-LE MASTER BEDROOM (UNIT 7672)
 PRIVATE OWNERSHIP AREA = ±1200 S.F.

UNIT H0-RH MASTER BEDROOM (UNIT 7666)
 PRIVATE OWNERSHIP AREA = ±1200 S.F.

UNIT J0-LH MASTER BEDROOM (UNIT 7664)
 PRIVATE OWNERSHIP AREA = ±1200 S.F.



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SCALE: 1 INCH = 5 FEET



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DATE	DESCRIPTION	BY
09/17/2001	CHANGES FOR MR. STAMPA	ME
07/11/2001		
06/28/2001		
06/28/2001		
06/28/2001		
06/28/2001		
06/28/2001		
06/28/2001		
06/28/2001		

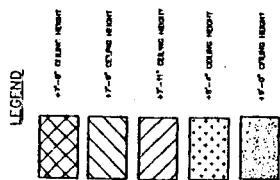
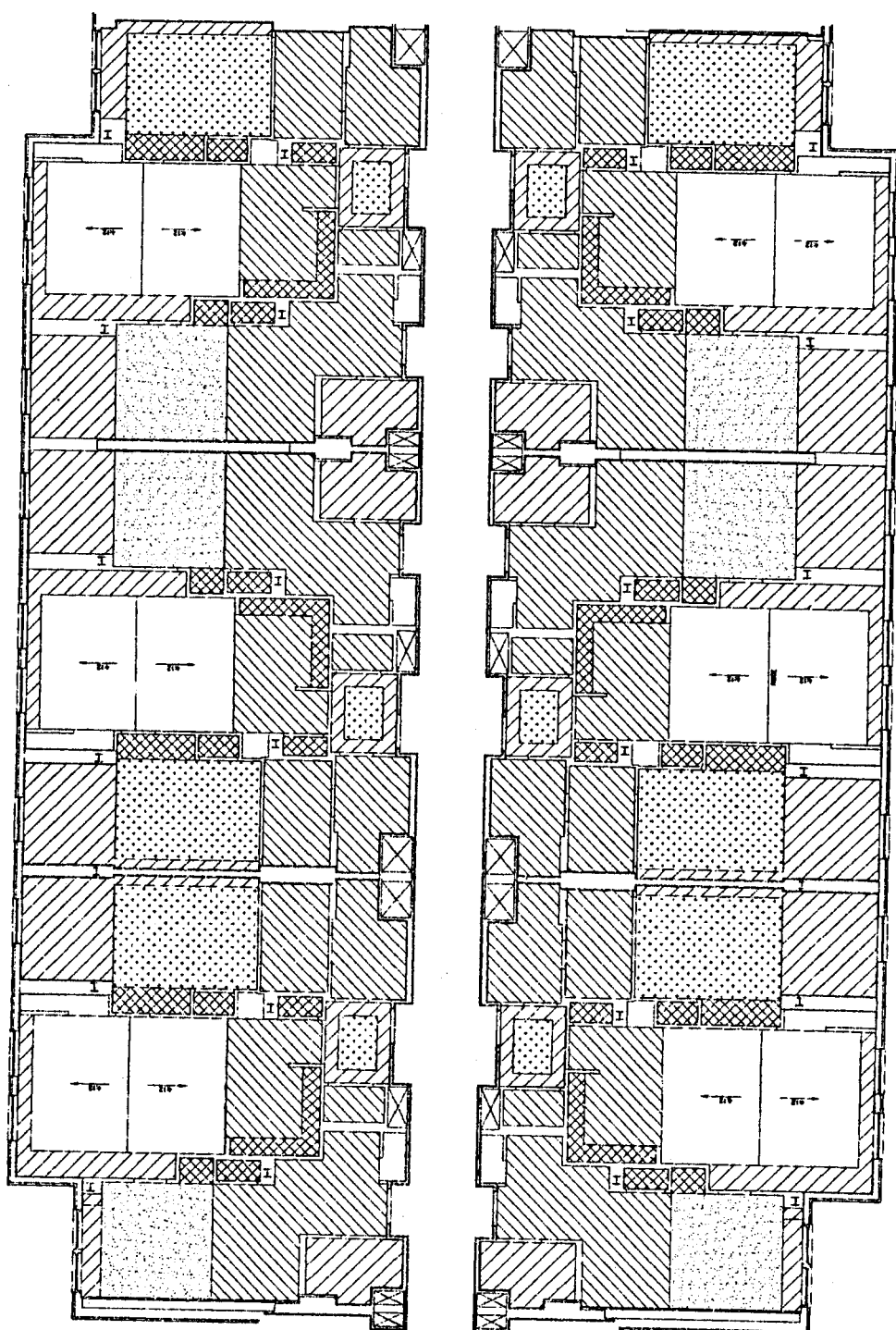
CONTRACTOR'S NAME
 PROJECT LOCATION
 DRAWN BY
 CHECKED BY
 DATE
 PROJECT NO.
 SHEET NO.
 UNIT NO.

STANTEC CONSULTING INC.
 3955 S 700 E STE. 300
 SALT LAKE CITY, UT
 84107-2340
 TEL: 801 281 0200
 FAX: 801 281 1811
 WWW.STANTEC.COM



MOUNTAINSIDE PHASE 2
 PARK CITY, UTAH
 AIRSPACE DRAWINGS
 REFLECTED CEILING PLANS, 6TH FLOOR
 Sheet Number
 14 of 16

UNIT_06-RH MASTER BEDROOM (UNIT_7663) UNIT_09-LH MASTER BEDROOM (UNIT_7665) UNIT_09-RH MASTER BEDROOM (UNIT_7671)



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 PARK CITY
 PLANNING DEPT.

UNIT_06-RH MASTER BEDROOM (UNIT_7663)

UNIT_09-LH MASTER BEDROOM (UNIT_7665)

UNIT_09-RH MASTER BEDROOM (UNIT_7672)



SCALE: 1 INCH = 5 FEET

NO.	DATE	DESCRIPTION
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2	12/12/00	REVISIONS

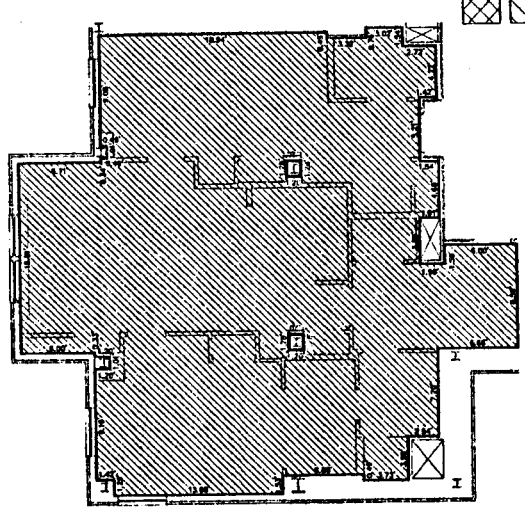
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 SHEET NUMBER: 15 OF 18
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

STANTEC CONSULTING INC.
 1955 S 700 E STE. 300
 SALT LAKE CITY, UT
 801 281 0200
 FAX: 801 286 1871

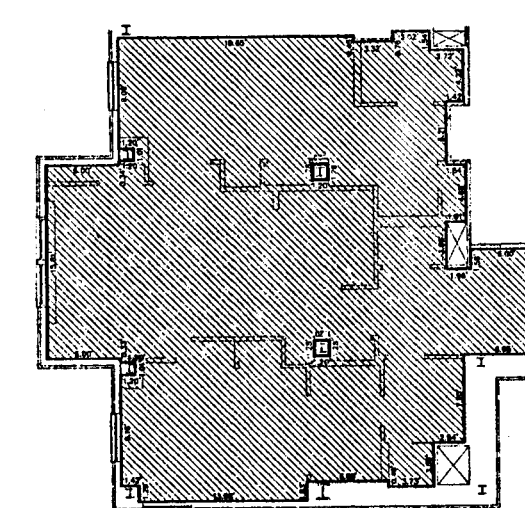
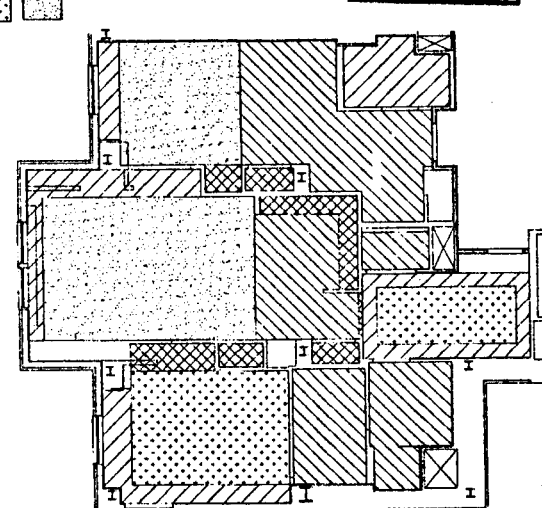


MOUNTAINSIDE PHASE 2
 PARK CITY, UTAH
 AIRSPACE DRAWINGS
 TYPICAL FLOOR, REFLECTED CEILING PLANS

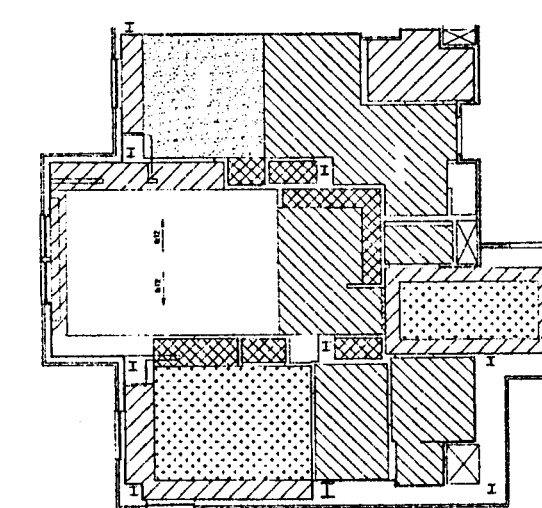
Sheet Number
 15 of 18



FLOOR PLAN, UNIT TYPES Kg, Ke
 (UNITS 7288 AND 7388)
 PRIVATE OWNERSHIP AREA ≈ ±1200 S.F.



FLOOR PLAN, UNIT TYPE Kg, UNIT 7488
 PRIVATE OWNERSHIP AREA ≈ ±1200 S.F.



LEGEND

[Cross-hatch pattern]	8'-0" CEILING HEIGHT
[Diagonal lines /]	7'-0" CEILING HEIGHT
[Diagonal lines \]	6'-0" CEILING HEIGHT
[Dotted pattern]	5'-0" CEILING HEIGHT
[Stippled pattern]	4'-0" CEILING HEIGHT

LEGEND

[White box]	OWNER'S OWNERSHIP AREA
[Hatched box]	OWNER'S PRIVATE PROPERTY

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 PARK CITY
 PLANNING DEPT.

FLOOR PLAN, UNIT TYPES Kg, Ke
 (UNITS 7288 AND 7388)
 SCALE: 1 INCH = 5 FEET

FLOOR PLAN, UNIT TYPE Kg, UNIT 7488



NO.	DATE	DESCRIPTION
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2	12/14/00	ISSUED FOR PERMITS
3	01/11/01	ISSUED FOR PERMITS
4	02/27/01	ISSUED FOR PERMITS
5	03/06/01	ISSUED FOR PERMITS
6	03/06/01	ISSUED FOR PERMITS
7	03/06/01	ISSUED FOR PERMITS
8	03/06/01	ISSUED FOR PERMITS
9	03/06/01	ISSUED FOR PERMITS
10	03/06/01	ISSUED FOR PERMITS
11	03/06/01	ISSUED FOR PERMITS
12	03/06/01	ISSUED FOR PERMITS

STATTEC CONSULTING INC.
 3085 S. 100 E. SUITE 200
 SALT LAKE CITY, UT 84143
 TEL: 801.281.0990
 FAX: 801.281.0771
 WWW.STATTEC.COM

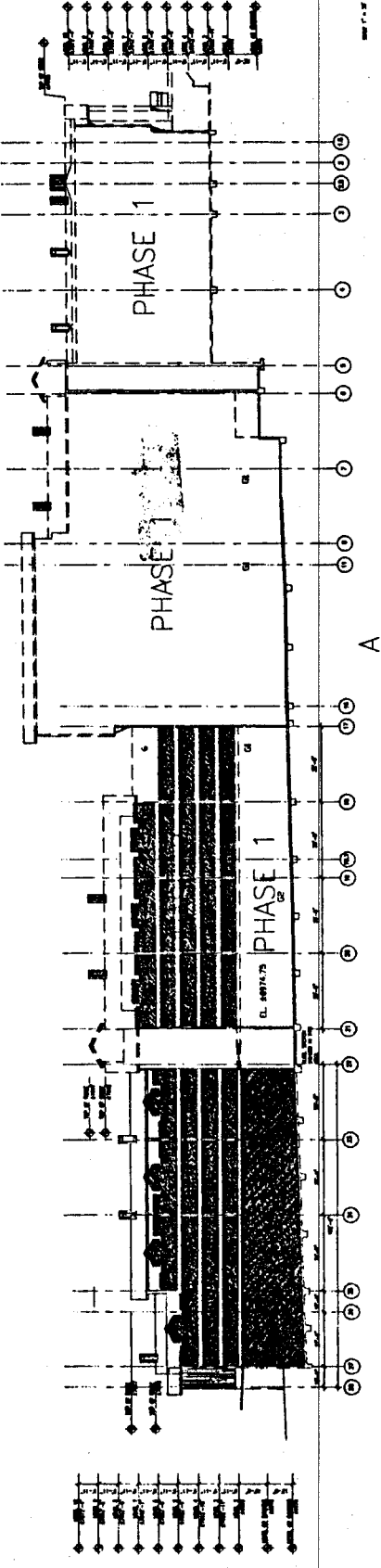
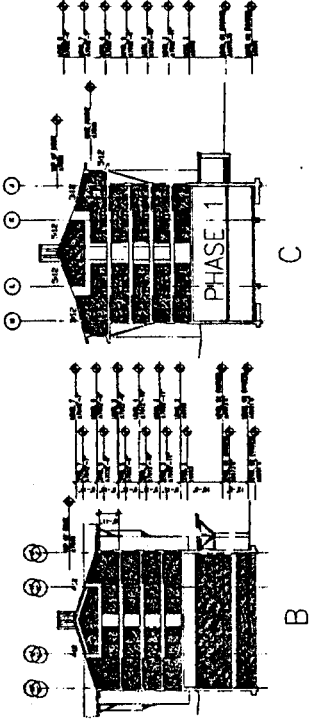
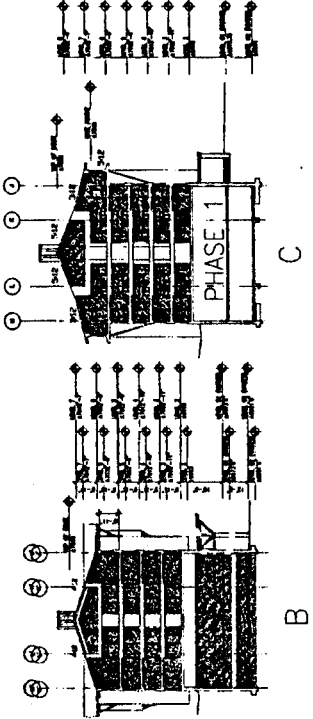
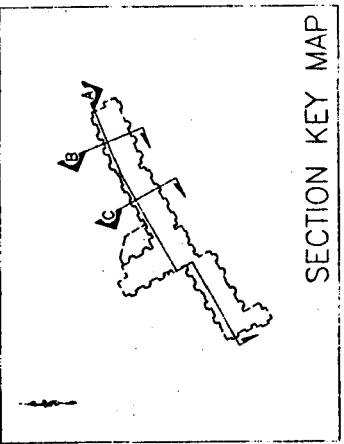
Stattec

LEGEND

- DENOTES PRIVATE OWNERSHIP (UNIT)
- DENOTES LIMITED COMMON AREAS WITH RESTRICTED ACCESS
- DENOTES COMMON AREAS WITH PUBLIC ACCESS

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PARK CITY
PLANNING DEPT.

- NOTES:**
1. UNITS GENERALLY HAVE A FLOOR TO CEILING HEIGHT OF 7'-11". UPPER UNITS HAVE VAULTED AND PITCHED CEILING HEIGHTS WHICH VARY FROM 10' TO 15'. UNITS SHOWN IN LONGITUDINAL SECTION ARE TYPICAL FOR UNITS ON EACH SIDE OF BUILDING.
 2. OFFICES, EQUIPMENT ROOMS AND ATTIC SPACES IN TOP OF BUILDING ARE DESIGNATED AS COMMON AREAS, BUT ARE NOT GENERALLY ACCESSIBLE TO UNIT OWNERS.
 3. GARAGE/PARKING AREAS HAVE SLOPED FLOORS AND THE FINISHED FLOOR ELEVATIONS VARY.



54



Ordinance No. 01-10

AN ORDINANCE APPROVING THE EXTENSION OF A PLAT AMENDMENT REQUEST 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 AND 44, BLOCK 18, SNYDERS ADDITION TO THE PARK CITY SURVEY INTO ONE (1) LOT FOR 1212 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Sydners Addition to the Park City Survey located at 1212 Empire Avenue have petitioned the City Council for approval of a final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 23, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the Recreation Commercial (RC) District.
2. The proposed Plat Amendment will combine twelve (12) lots into one (1) parcel in order to allow for the development of an twelve (12) unit residential structure.
3. The parcel is located on a steep infill parcel in a built out area. Snow storage opportunities are limited in this area.

4. Dedication of a ten (10) foot non-exclusive snow storage easement along Norfolk and Empire Avenues is necessary to provide adequate snow removal services.
5. The applicant has requested an extension due to the difficulty in constructing the project prior to the commencement of the Olympics.
6. The project is in proximity to an Official Venue of the 2002 Winter Olympics.
7. Traffic surrounding the venue during the Olympics will be restricted and at times this property will be highly impacted.
8. The Plat Amendment expired on March 30, 2001.
9. The applicant stipulates to the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

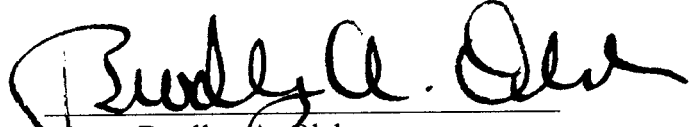
SECTION 3. PLAT APPROVAL. The plat amendment to combine Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey also known as the 1212 Empire Avenue, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Norfolk Avenue and Empire Avenue shall be dedicated to the City on the plat.
3. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
5. A Building Permit for 1212 Empire Avenue may not be issued until the Plat Amendment is recorded.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.


PASSED AND ADOPTED this 5th day of April, 2001.

PARK CITY MUNICIPAL CORPORATION

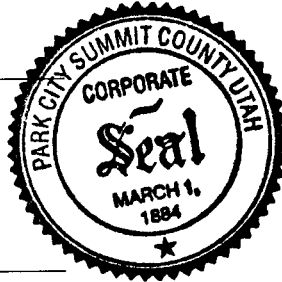


Mayor Bradley A. Olch

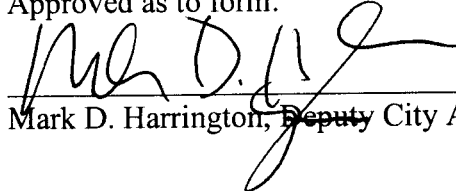
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, Deputy City Attorney



Ordinance No. 01-9

AN ORDINANCE AMENDING, TITLE 14 OF THE MUNICIPAL CODE, REGULATING THE PLACEMENT OF NEWS RACKS WITHIN PARK CITY'S HISTORIC DISTRICT

WHEREAS, the proliferation of News Racks in Park City has greatly increased visual clutter, detracting from the City's appearance and creating hazards to pedestrian traffic; and

WHEREAS, Park City has an interest in reducing visual clutter within its Historic District that detracts from the City's appearance; and

WHEREAS, the City Council wishes to preserve Park City's Historic District the pedestrian oriented Historic District and protect safety concerns;

WHEREAS, the Park City wishes to protect the right to distribute information protected by the United States Constitution and the Constitution of Utah through use of News Racks.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS: The Council finds that:

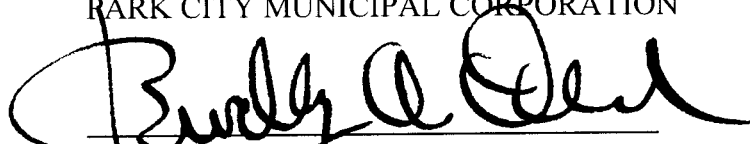
1. The uncontrolled placement and maintenance of News Racks in the Historic District presents and creates a physical danger to the traveling public and numerous pedestrians that use the sidewalks within the Historic District.
2. In recognition of the unique architectural features and basic heritage of the Historic District, the clutter and congestion of numerous disparate types of News Racks in the area is unsightly and not in keeping with the nature of the Historic District.
3. The use of sidewalks is historically associated with the sale and distribution of newspapers and periodicals that access to these areas for such purposes should not be absolutely denied.
4. The public interest requires that News Rack facilities of uniform and coordinated construction and appearance be utilized and these strong and competing interest require a reasonable accommodation which can only be satisfactorily achieved through the means of this Chapter, designed to accommodate such interests by regulating the time, place and manner of using such News Racks.

SECTION 2. AMENDMENT TO TITLE 14 OF THE MUNICIPAL CODE. Title 14 is hereby amended by adding Chapter 6, News Racks attached hereto as Exhibit A.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 29th day of March, 2001.

PARK CITY MUNICIPAL CORPORATION



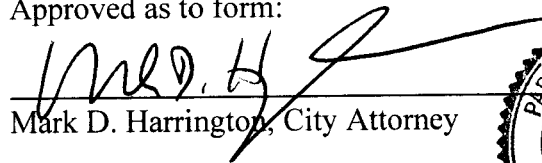
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS, SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET ADDRESS SYSTEM; AND NEWS RACKS

CHAPTER 6 - NEWS RACKS

14-6-1. PURPOSE.

The provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, and general welfare of persons in Park City in their use of the public rights-of-way through the regulation of placement, appearance, number, size and servicing of News Racks on the public rights-of-way within Park City's Historic District so as to:

- (A) Provide for pedestrian and driving safety and convenience;
- (B) Ensure no unreasonable interference with the flow of pedestrian or vehicular traffic, including ingress to, or egress from, any place of business or from the street to the sidewalk;
- (C) Provide reasonable access to sidewalks, poles, posts, hydrants, and similar appurtenances for the purpose of use, maintenance, cleaning, and snow removal;
- (D) Reduce visual blight on the public rights-of-way, protect the aesthetics and value of Park City's Historic District and surrounding properties;
- (E) Reduce exposure of the City to personal injury or property damage claims; and
- (F) Protect the right to distribute information protected by the United States Constitution and the Constitution of Utah through use of News Racks.

14-6-2. DEFINITIONS.

For purposes of this Chapter the following abbreviations, terms, phrases, and words shall be defined as specified in this section:

- (A) **Distributor.** The person responsible for the installation, placement, location, use or maintenance of a News Rack in a public right-of-way.
- (B) **Fully Enclosed Building.** That portion of a building or structure contained fully within the exterior walls of a building. The term "fully enclosed building" shall not include decks, porches, carports, areas under roof overhangs, or any other area not contained totally within the exterior walls.
- (C) **News Rack.** Any outdoor self-service or coin operated container, rack or structure installed, placed, located, used or maintained for the display, dissemination or distribution newspapers, periodicals or other printed material.
- (D) **Person.** Any natural person or persons, or entity including, but not limited to, a corporation, partnership, unincorporated association or joint venture.
- (E) **Sidewalk.** Any surface provided for the exclusive use of pedestrians.
- (F) **Special Distribution Area.** The Historic District of Park City so designated by the City Council upon findings that the special circumstances of the Historic District require special design, placement and other standards for News Racks.
- (G) **Street.** All the area dedicated to public use for public street purposes and shall include, but not to be limited to roadways, parkways, and alleys.

14-6-3. NEWS RACKS PROHIBITED

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS, SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET ADDRESS SYSTEM; AND NEWS RACKS

As of September 30, 2001, no News Racks other than City permitted News Racks, shall be installed, placed or located in the Special Distribution Area, unless within a Fully Enclosed Building. News Racks installed, placed or located in violation of this Section shall be impounded per the regulations set forth in Section 14-6-13(D).

14-6-4. SPECIAL DISTRIBUTION AREA

The Historic District is hereby designated as a Special Distribution Area. As used herein, the Historic District shall be defined as those areas within Park City which are zoned HR-1, HR-2, HRL, HRM, HCB and HRC.

14-6-5. NOTICING OF ORDINANCE

Within thirty (30) days after the effective date of this ordinance designating a Special Distribution Area, the Community Development Department shall establish a date (the "cut-off date") by which application shall be made to the Community Development Department for every News Rack proposed to be located within the Special Distribution Area. No application shall be considered for the initial allocation that is filed later than the established cut-off date. The Community Development Department shall give notice of the cut-off date by publication once in a newspaper of general circulation in the City not less than thirty (30) days prior to such cut-off date. The Community Development Department shall also endeavor to mail notice of the cut-off date to the owners and/or Distributors of publications distributed within the Historic District as of the effective date of the ordinance designating a Special Distribution Area; provided however, that failure to provide mailed notice to any person shall not invalidate any action taken pursuant to this Chapter.

Once the initial distribution of publications occurs, the Community Development Department shall accept applications to be considered for additional and/or future openings in the Special Distribution Area.

14-6-6. NEWS RACK PERMITS

Any person desiring to place a News Rack within the Special Distribution Area shall submit a News Rack Permit Application for a specific publication to the City at the Community Development Department.

- (A) **APPLICATION.** Application for a News Rack permit shall be made to the Community Development Department on a form provided by the City. The application shall contain the name and address of the applicant, the name of the publication, the proposed specific location of said News Rack, and shall be signed by the applicant. Separate applications shall be filed for each publication.
- (B) **FEES.** The application shall be accompanied by an application fee as set forth in the Fee Resolution to partially defray the cost of reviewing the permit application. The Community Development Department shall issue a News Rack permit for all approved News Racks upon payment of a permit fee as set forth in the Fee Resolution. The permit fee will be required at the time of installation and is valid for three years.

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS, SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET ADDRESS SYSTEM; AND NEWS RACKS

- (C) **REVIEW PROCEDURES.** Complete applications will be reviewed and assignment, if any, will be made by the Community Development Department within ten (10) working days from the date completed application and payment of the application fee.
- (D) **ASSIGNMENT.**
- (1) If sufficient space does not exist to accommodate all applications submitted for any location, the Community Development Department shall give priority as to that location to publications as follows:
 - (a) First priority shall be publications that are published two or more times per week;
 - (b) Second priority shall be given to publications that are published once per week;
 - (c) Third priority shall be given to publications that are published less than once per week but more than once per month; and
 - (d) Forth priority shall be given to publications that are published once per month or less frequently than once per month.

If the above process does not resolve the conflict over News Rack allocation, the Community Development Department shall allocate available locations by random drawing.
 - (2) If an approved News Rack is configured to accommodate more than one publication, the approved applicant shall determine the second publication.
 - (3) Those publications requesting assignment in a specific location, who were unable to receive assignment, shall be placed on a waiting list.
 - (4) The Community Development Department shall allocate the publication's location within the Gang-Rack by random drawing.
- (E) **CONDITIONS OF PERMIT.** Each News Rack permit shall specify the permit holder (distributor), name of publication, and permitted News Rack location. News Rack permits are non-transferrable. News Rack permits shall be conditioned upon observance of the provisions of this Ordinance.
- (F) **APPEALS.** A permit denial by the Community Development Department may be appealed within ten (10) days of the date of denial to the City Manager or his/her designee. The City Manager or his/her designee shall conduct a hearing within thirty (30) days of the receipt of the appeal. Written notice of the time and place of the hearing shall be given to the applicant, and shall be posted in the official posting locations of the City. The hearing shall be informal, but oral and written evidence may be given. The City Manager or designee shall render a written decision within fifteen (15) days after the date of the hearing.
- (G) **EXPIRATION.** A News Rack permit is valid for three years from date of issuance.
- (H) **PERMIT RENEWAL.** Permittees in good standing as of thirty days (30) prior to the expiration of the permit shall be eligible to renew their permits.
- (I) **NUMBER OF PERMITS PER PUBLICATION.** No publication shall be allocated more than one (1) News Rack within each designated News Rack Receiving Area.

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS, SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET ADDRESS SYSTEM; AND NEWS RACKS

14-6-7. CITY PERMITTED NEWS RACK LOCATIONS

News Racks shall be permitted and installed within the Special Distribution Area pursuant to this Chapter.

- (A) **NEWS RACKS RECEIVING AREAS.** The City shall provide pedestals and trays at the following locations for the installation of that number of News Racks specified below.
- (1) Summit Watch, 780 Main Street - twelve (12) News Racks; along the stone walls within the four stepbacks.
 - (2) Kimball Art Center, 638 Park Avenue - twelve (12) News Racks; along the cement wall to the east of the building.
 - (3) Claimjumper Hotel, 573 Main Street - six (6) News Racks; along the building between the two windows on the south end of the facade.
 - (4) Dolly's Bookstore walkway to Swede Alley, 510 Main Street - eight (8) News Racks; along the railing within the stepback towards the east end of the walkway.
 - (5) Post Office, 450 Main Street - sixteen (16) News Racks; along the wall on the south end of the entrance.
 - (6) Café Terigo walkway to Swede Alley, 424 Main Street - eight (8) News Racks; along the brick wall on the south end of the plaza on Swede Alley.
 - (7) South of Wasatch Brew Pub, 248 Main Street - twelve (12) News Racks; along the railing.
 - (8) Wasatch Brew Pub Parking Lot, 249 Swede Alley - twelve (12) News Racks; along the cement wall below the stairs.
 - (9) China Bridge Parking Structure, 320 Swede Alley - eight (8) News Racks; outside of the west entrance along the sidewalk.
 - (10) Transit Center, 540 Swede Alley - six (6) News Racks; on the plaza level.
- (B) **REQUEST FOR ADDITIONAL RECEIVING AREAS.** Applications shall be submitted to the Community Development Department for additional News Rack Receiving Areas. The City Council shall review requests based on the compliance with the following information.
- (1) No lawn, flowers, shrubs, trees or other landscaping shall be removed in order to facilitate the location of News Racks.
 - (2) No News Rack shall be placed, installed, used or maintained within:
 - (a) five feet of any fire hydrant, fire call box, police call box or other emergency facility;
 - (b) five feet of any marked crosswalk;
 - (c) five feet of any driveway;
 - (d) on or within five (5) feet of any access ramp or curb cut for disabled persons;
 - (e) any location where the News Rack causes, create, or constitutes a line-of-sight problem or traffic hazard;
 - (f) within three (3) feet of or on any public area improved with lawn, flowers, shrubs, trees or other landscaping;
 - (3) No News Rack shall be placed in a location where the clear space for the passageway

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS, SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET ADDRESS SYSTEM; AND NEWS RACKS

- of pedestrians is reduced to less than eight feet; and
- (4) News Racks proposed to be placed on sidewalks shall be placed along the walls of buildings, and not placed along the curb of the street.
 - (5) No additional News Rack receiving areas shall be approved unless the City Council makes a finding of public necessity and convenience.

14-6-8. DESIGN STANDARDS FOR NEWS RACKS

- (A) **SIZE.** All News Racks shall measure sixteen inches (16") deep, twenty-four inches (24") in width and seventeen and a half inches (17½") high.
- (B) **ADVERTISING.** News Racks shall carry no advertising except a logo or other information identifying the publication sold therein. This information may be displayed only on the front of the News Rack.
- (C) **NEWS RACKS IN THE SPECIAL DISTRIBUTION AREA.** The News Rack must be equivalent to the Sho-Rack model K or TK 49-16, which has been approved by the City Council and chosen for aesthetic appeal, durability, functionality, and versatility of the News Rack. News Racks shall be painted to match the Sho-Rack flat black.

14-6-9. INSTALLATION OF NEWS RACKS.

Following the initial News Rack allocation process, the Community Development Department will deliver notice via first class mail to all News Rack permit holders detailing the process of installation of the News Racks on the City provided pedestals. The installation date will be between September 1, 2001 and September 30, 2001.

14-6-10. NEWS RACK IDENTIFICATION REQUIRED

All permitted News Racks within the Special Distribution Area shall display the Distributor's name, address, and telephone number affixed to the face News Rack. The News Rack identification shall be no larger than 2" x 3".

14-6-11. STANDARDS FOR MAINTENANCE AND INSTALLATION

Any News Rack which is placed within the Special Distribution Area shall comply with the following standards:

- (A) No News Rack shall be used for advertising signs or publicity purposes other than that dealing with the display, sale or purchase of the newspaper, periodical, or other printed material, sold therein.
- (B) Each News Rack containing material for sale shall be equipped with a coin-return mechanism to permit a person using the machine to secure an immediate refund in the event the person is unable to receive the paid for publication. The coin-return mechanism shall be maintained in good working order at all times.
- (C) Each News Rack shall be maintained in a neat and clean condition and in good repair at all times. Specifically, but without limiting the generality of the foregoing, each News Rack shall be serviced and maintained so that:

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS, SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET ADDRESS SYSTEM; AND NEWS RACKS

- (1) It is reasonably free of dirt and grease;
- (2) It is reasonably free of chipped, faded, peeling and cracked paint in the visible painted areas thereof;
- (3) It is reasonably free of rust and corrosion in the visible unpainted metal areas thereon;
- (4) The clear plastic or glass parts, thereof, if any, through which the publications therein are viewed are unbroken and reasonably free of cracks, dents, blemishes and discoloration;
- (5) The paper or cardboard parts or inserts thereof are reasonably free of tears, peeling or fading;
- (6) The structural parts thereof are not broken or unduly mis-shapen; and
- (7) Any and all graffiti, unauthorized stickers or decals are promptly removed.

14-6-12. ABANDONMENT.

- (A) If any permitted News Rack installed pursuant to this Chapter does not contain the publication specified in the application within a period of thirty (30) days after the date of installation, or if no publication is in the News Rack for a period of more than thirty (30) consecutive days, the City shall deem the News Rack abandoned and may remove the News Rack in accordance with the procedures set forth in this Subsection 14-6-13.
- (B) In the event a News Rack permittee desires to voluntarily abandon a News Rack location, such permittee shall notify the Community Development Department in writing not less than thirty (30) days prior to the date such permittee intends to abandon the News Rack.

14-6-13. VIOLATIONS.

- (A) **CITY ACTION.** Upon determination by the Community Development Department that a permitted News Rack has been installed, used or maintained in violation of this Chapter, a notice of violation shall be issued specifying the manner in which this Chapter is violated and requesting compliance. Such notice shall state the nature of the violation, the City's intent to impound the News Rack if the violation is not corrected and a hearing is not requested, and the procedure for requesting such a hearing. The notice of violation shall state that unless the violation is corrected or a hearing is requested within ten (10) days after the date of the notice, the News Rack shall be removed and impounded by the City.
- (B) **HEARINGS.** Any person holding a valid News Rack permit determined by the Community Development Department to be in violation of this Chapter may request a hearing before the Community Development Department Director, or his/her designee, within ten (10) calendar days of receipt of such notice of violation. The request for a hearing must be in writing, state the basis thereof, and shall be filed with the Community Development Department. The hearing shall be held within ten (10) working days of the filing of the request. At the hearing any person may present evidence or argument as to whether the News Rack has been installed, used or maintained in violation of this Chapter. Within five (5) business days after the close of the hearing, the Community Development Department Director shall render a decision in writing and shall deliver such written decision to the person who requested the

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS,
SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET
ADDRESS SYSTEM; AND NEWS RACKS

hearing via certified mail.

- (C) **APPEALS.** The Community Development Director's decision may be appealed to the City Council within 10 calendar days of the date of decision. The appeal must be in writing, state the basis upon which the appeal is made, and must be filed with the City Recorder. The City Council shall hear the appeal within thirty (30) days of the filing of the request for appeal. At the hearing any person may present evidence or argument as to whether the News Rack has been installed, used or maintained in violation of this Chapter. The Council shall render a decision no later than its next regularly scheduled meeting after the hearing. Within thirty (30) days after the decision is rendered, the City shall give notice thereof to the appellant.
- (D) **IMPOUNDMENT.** Any News Rack installed, used or maintained within the City found in violation of this Chapter shall be removed and impounded by Park City Municipal Corporation. Notice of impoundment shall be provided to the Distributor, if known, within three (3) calendar days of impoundment. Such notice shall state the date the News Rack was removed, the reason(s) therefor, the location and procedure for claiming the News Rack, and the procedure for obtaining a post-removal hearing before the Community Development Department, if desired. An impound fee, which shall be measured by the City's cost and expense of impounding, shall be assessed against each News Rack summarily removed.

14-6-14. SEVERABILITY

If any Section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.



Ordinance No. 01-8

**AN ORDINANCE APPROVING AN AMENDMENT TO THE LITTLE BELLE
CONDOMINIUMS RECORD OF SURVEY PLAT TO EXPAND THE PRIVATE
OWNERSHIP AREA OF UNITS 2, 9, AND 10 OF THE LITTLE BELLE
CONDOMINIUMS**

WHEREAS, the owners, of Units 2, 9, and 10 of the property known as Little Belle Condominiums, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 14, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owners to expand the private ownership area of units 2, 9 and 10; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The condominium units known as Units 2, 9 and 10 of the Little Belle Condominiums are located at 7160 Little Belle Court which is zoned RD-MPD.
2. The proposed amended record of survey adds private living space and changes limited common and common area to private ownership.
3. A vote exceeding 66.66% for approval of the amendment was received by the members of the Homeowners association; record of this vote has been received by the Planning Department.
4. The additions will not encroach into the required setbacks for the project.
5. The additions will not leave the project below the required 60% open space for an MPD.
6. The number of bedrooms does not increase.
7. No additional parking is required as a result of this floor area expansion.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:(1)

1. There is good cause for this Amended Record of Survey.
2. The Amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amended Record of Survey.

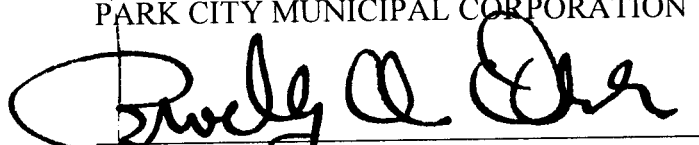
SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. The applicant will record the Amended Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. During the construction of the additions, gas and electrical shall be extended from the existing service areas.
4. All other conditions of approval of the Little Belle Condominiums MPD apply.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

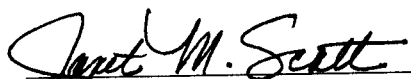
PASSED AND ADOPTED this 22nd day of March, 2001.

PARK CITY MUNICIPAL CORPORATION




Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

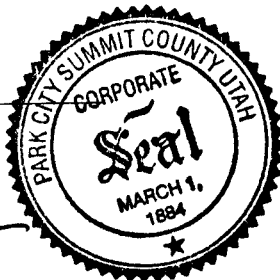


Exhibit A Existing ROS

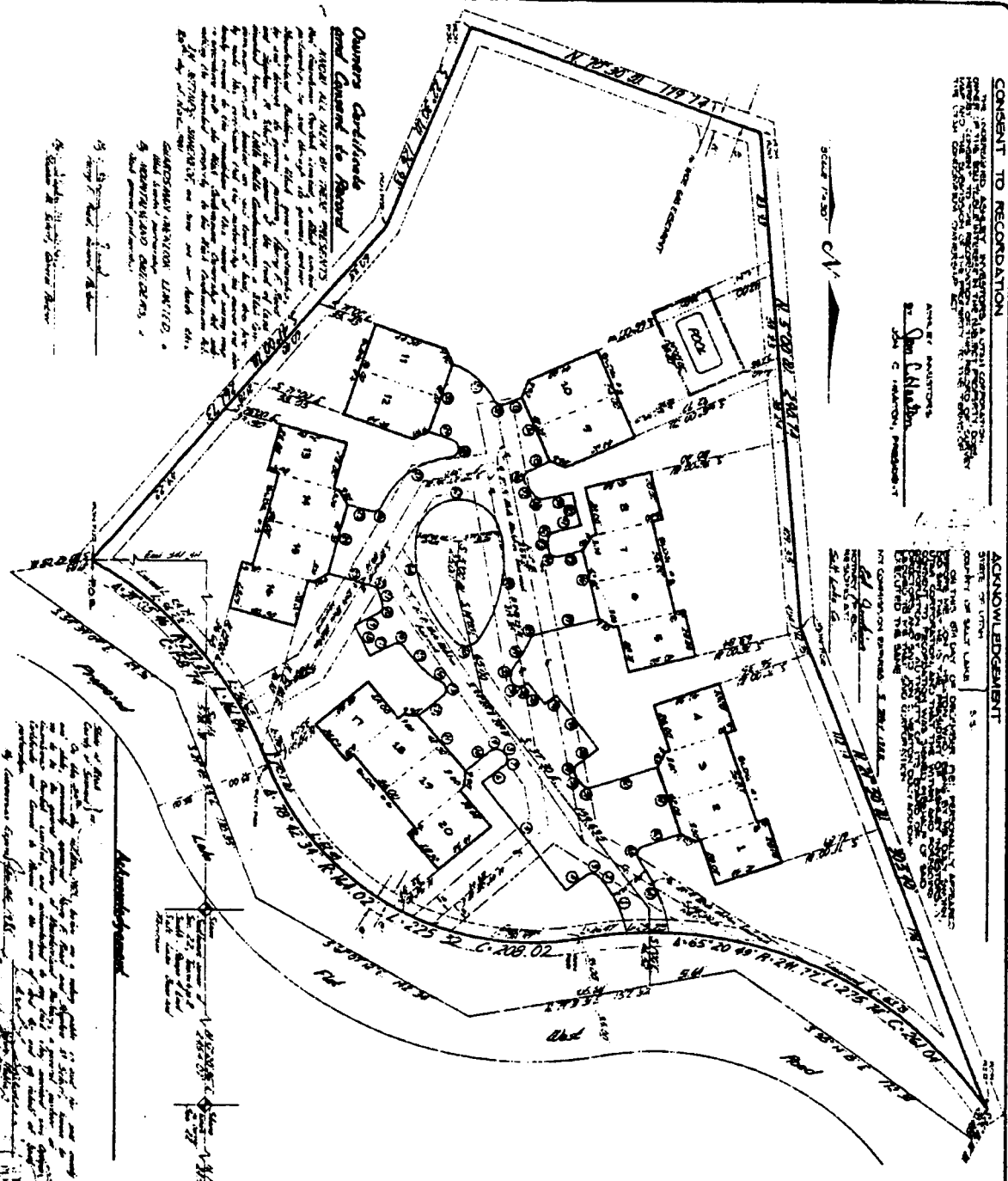
CONSENT TO RECORDATION
 I, the undersigned, hereby consent to the recording of the foregoing instrument in the public records of the County of Allegheny, Pennsylvania, and to the execution of the same in accordance with the provisions of the Act of March 18, 1881 (P. L. 148) and the Act of May 15, 1907 (P. L. 107), and to the execution of the same in accordance with the provisions of the Act of March 18, 1881 (P. L. 148) and the Act of May 15, 1907 (P. L. 107).

APPROVED BY THE BOARD OF
 SUPERVISORS
 DAN C. GILBERTSON, PRESIDENT

ACKNOWLEDGEMENT

DATE OF GIVE UP \$3

PROPERTY OF SAID LAND
 IS THE PROPERTY OF THE
 COUNTY OF ALLEGHENY, PENNSYLVANIA, AND
 THE COUNTY OF ALLEGHENY, PENNSYLVANIA, IS
 THE PROPERTY OF THE COUNTY OF ALLEGHENY, PENNSYLVANIA,
 AND THE COUNTY OF ALLEGHENY, PENNSYLVANIA, IS
 THE PROPERTY OF THE COUNTY OF ALLEGHENY, PENNSYLVANIA.



Owner's Certificate
 and Consent to Record
 I, the undersigned, hereby certify that I am the owner of the property described in the foregoing instrument, and that I have executed the same in accordance with the provisions of the Act of March 18, 1881 (P. L. 148) and the Act of May 15, 1907 (P. L. 107), and to the execution of the same in accordance with the provisions of the Act of March 18, 1881 (P. L. 148) and the Act of May 15, 1907 (P. L. 107).

Survey of Land
 This is a true and correct copy of the survey of the land described in the foregoing instrument, as the same appears on the records of the County of Allegheny, Pennsylvania, and as the same appears on the records of the County of Allegheny, Pennsylvania.

Particulars
 The property described in the foregoing instrument is situated in the County of Allegheny, Pennsylvania, and is bounded as follows: On the north by the line of the property of the County of Allegheny, Pennsylvania; on the south by the line of the property of the County of Allegheny, Pennsylvania; on the east by the line of the property of the County of Allegheny, Pennsylvania; and on the west by the line of the property of the County of Allegheny, Pennsylvania.

Feeder Gas, Sewer and Cables

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100	41' 00" 00" 00"	0.0000	0.0000	0.0000

LITTLE BELLE CONDOMINIUMS

LOCATED IN THE N.E. QUARTER OF SECTION 28 TOWNSHIP 2 S, RANGE 4 E, SEC. 28 E.

JAN 12 2001

CITY COUNCIL APPROVAL

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ALLEGHENY, PENNSYLVANIA, TO APPROVE AND TO CONSENT TO THE RECORDING OF SAID INSTRUMENT AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107), AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107).

Dated: 11/28/01

CITY ENGINEER

APPROVED AND AUTHORIZED BY THE SUPERVISORS OF THE COUNTY OF ALLEGHENY, PENNSYLVANIA, TO APPROVE AND TO CONSENT TO THE RECORDING OF SAID INSTRUMENT AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107), AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107).

Dated: 11/28/01

CITY PLANNING COMMISSION

APPROVED AND AUTHORIZED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ALLEGHENY, PENNSYLVANIA, TO APPROVE AND TO CONSENT TO THE RECORDING OF SAID INSTRUMENT AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107), AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107).

Dated: 11/28/01

APPROVAL AS TO FORM

APPROVED AND AUTHORIZED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ALLEGHENY, PENNSYLVANIA, TO APPROVE AND TO CONSENT TO THE RECORDING OF SAID INSTRUMENT AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107), AND TO THE EXECUTION OF THE SAME IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 18, 1881 (P. L. 148) AND THE ACT OF MAY 15, 1907 (P. L. 107).

Dated: 11/28/01

RECORDED

NO 185813 Date: 11/28/01

IN THE COUNTY OF ALLEGHENY, PENNSYLVANIA

RECORDED AND FILED AT THE OFFICE OF THE COUNTY RECORDER OF ALLEGHENY COUNTY, PENNSYLVANIA

Dated: 11/28/01

J. Johnson & Associates

208 North Station Plaza
 Suite 1000
 P.O. Box 1000
 Pittsburgh, PA 15203

(801) 598-1111



Ordinance No. 01-7

AN ORDINANCE APPROVING A ONE LOT SUBDIVISION AND ACCEPTING AN OFFER OF DEDICATION OF MEADOWS DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Meadows Drive have petitioned the City Council for approval of a one lot subdivision and have offered to dedicate Meadows Drive within this subdivision; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 28, 2001, to receive input on the proposed subdivision and offer of dedication;

WHEREAS, the Planning Commission, on February 28, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 22, 2001 the City Council held a public hearing to receive input on the subdivision plat and offer of dedication; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat and accept the offer of dedication.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The metes and bounds parcel is located between The Cove Phase I and Eagle Pointe II and is zoned RD - Residential Development.
2. The subdivision and road dedication is consistent with the Quarry Mountain MPD.
3. The rest of Meadows Drive is dedicated to the public, creating a "belt-route" around most of Park Meadows.
4. Two "30 MPH" signs will be posted in each direction of Meadows Drive.

5. The Planning Commission forwarded a positive recommendation to the City Council at its regular meeting of February 28, 2001.

Conclusions of Law:

1. There is good cause for this subdivision and road dedication.
2. The subdivision and road dedication is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision and road dedication
4. Approval of the subdivision and road dedication, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision and road dedication plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The applicant will record the subdivision and road dedication plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. All other conditions of approval of the Quarry Mountain MPD, as amended, are in full force and effect.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 22nd day of March, 2001.

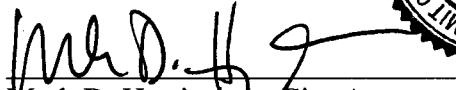
PARK CITY MUNICIPAL CORPORATION

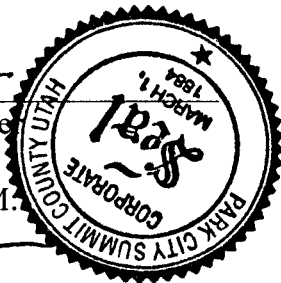
Bradley A. Olch, MAYOR

ATTEST:


Janet M. Scott, City Recorder

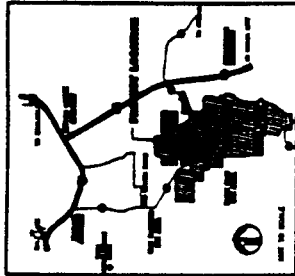
APPROVED AS TO FORM:


Mark D. Harrington, City Attorney

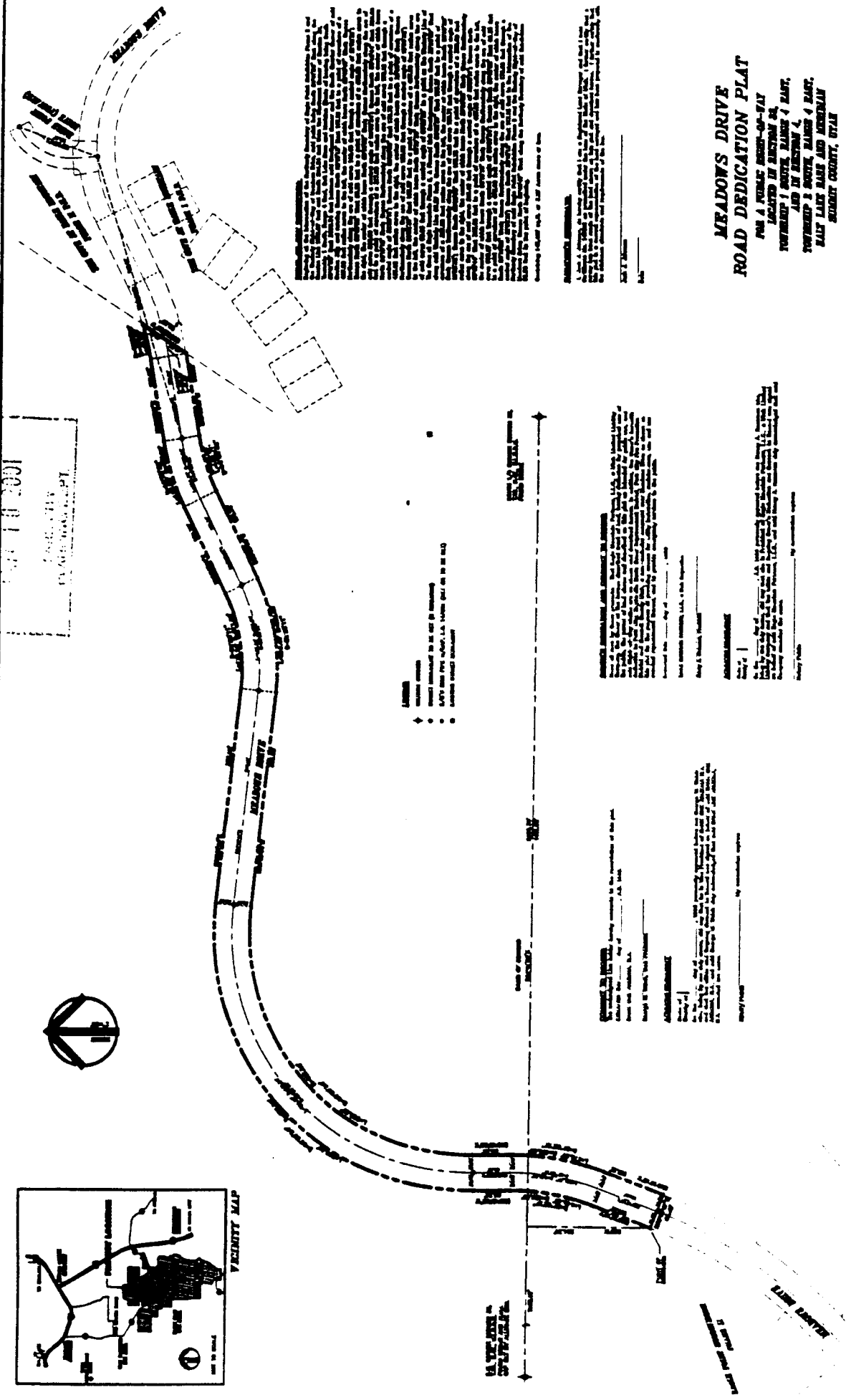


RECEIVED

CITY OF JACKSONVILLE
PLANNING DEPARTMENT



FACILITY MAP



MEADOWS DRIVE ROAD DEDICATION PLAT
FOR A PARKING DRIVE-UP-BAY
LOCATED IN DISTRICT NO. 1
TOWNSHIP 1 SOUTH, RANGE 4 EAST,
AND IN DISTRICT NO. 4
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
RANGE 1 EAST AND ADELMAN
SUBDIVISION, ST. JOE

APPROVED FOR THE CITY OF JACKSONVILLE, MISSISSIPPI, BY THE CITY ENGINEER, ON THIS _____ DAY OF _____, 19____.

APPROVED FOR THE CITY OF JACKSONVILLE, MISSISSIPPI, BY THE CITY PLANNING COMMISSION, ON THIS _____ DAY OF _____, 19____.

APPROVED FOR THE CITY OF JACKSONVILLE, MISSISSIPPI, BY THE CITY COUNCIL, ON THIS _____ DAY OF _____, 19____.

APPROVED FOR THE CITY OF JACKSONVILLE, MISSISSIPPI, BY THE SEWER DISTRICT, ON THIS _____ DAY OF _____, 19____.

APPROVED AS TO FORM ON THIS _____ DAY OF _____, 19____.

RECORDED AND FILED AT THE RECORDS OFFICE OF THE COUNTY OF JACKSONVILLE, MISSISSIPPI, ON THIS _____ DAY OF _____, 19____.

APPROVED FOR CONFORMANCE TO MISSISSIPPI STATE SEWER DISTRICT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEER ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 19____.

APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS _____ DAY OF _____, 19____.



THE JACK JOHNSON COMPANY
1715 N. GULF BLVD., JACKSONVILLE, MISSISSIPPI 39202

EXHIBIT



Ordinance No. 01-6

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE RECORD SURVEY OF THE COVE AT EAGLE MOUNTAIN PHASE ONE LOCATED AT MEADOWS DRIVE AND GALLIVAN LOOP, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Forsey Parcel II have petitioned the City Council for approval of an amendment to the record of survey; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 14, 2001, to receive input on the proposed amendment to the record of survey plat;

WHEREAS, the Planning Commission, on February 14, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 1, 2001 the City Council held a public hearing to receive input on the subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amendment to the record of survey plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The metes and bounds parcel is located at the end of Gallivan Court in The Cove Phase I, and is zoned RD - Residential Development.
2. The proposed addition to The Cove Phase I will add three acres and six units.
3. The amended Record of Survey is consistent with the Quarry Mountain MPD amendment.
4. Fire response is relatively slow due to the remote cul-de-sac location.
5. The applicant proposes to construct trails within the subdivision.

6. The Park Meadows Country Club has agreed to grant a pedestrian easement across their property.
7. The Planning Commission forwarded a positive recommendation to the City Council at its regular meeting of February 14, 2001.
8. The Findings of Fact, Conclusion of Law, and Conditions of Approval for the Quarry Mountain MPD Amendment of March 22, 2000 are hereby incorporated.

Conclusions of Law:

1. There is good cause for this amended record of survey.
2. The amended record of survey is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. Approval of the amended record of survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The recordation of the amended record of survey plat is required prior to the issuance of building permits.
3. The applicant will record the amended record of survey plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
4. All other conditions of approval of the Quarry Mountain MPD, as amended, and The Cove at Eagle Mountain Phase I are in full force and effect.
5. An acceptable guarantee for public improvements, including trails as shown on Exhibit B, is required to be posted with the Building Department prior to any construction.
6. A minimum 10-foot wide public pedestrian easement is required for all trails, including the trail through Park Meadows Country Club property.
7. A note requiring modified 13-d fire sprinklers in each building is required to be on the plat.
8. The project must comply with the Standard Conditions of Approval.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1st day of March, 2001.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, MAYOR

ATTEST:

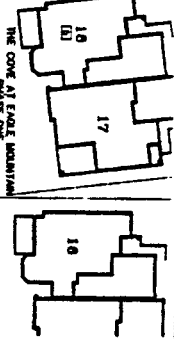
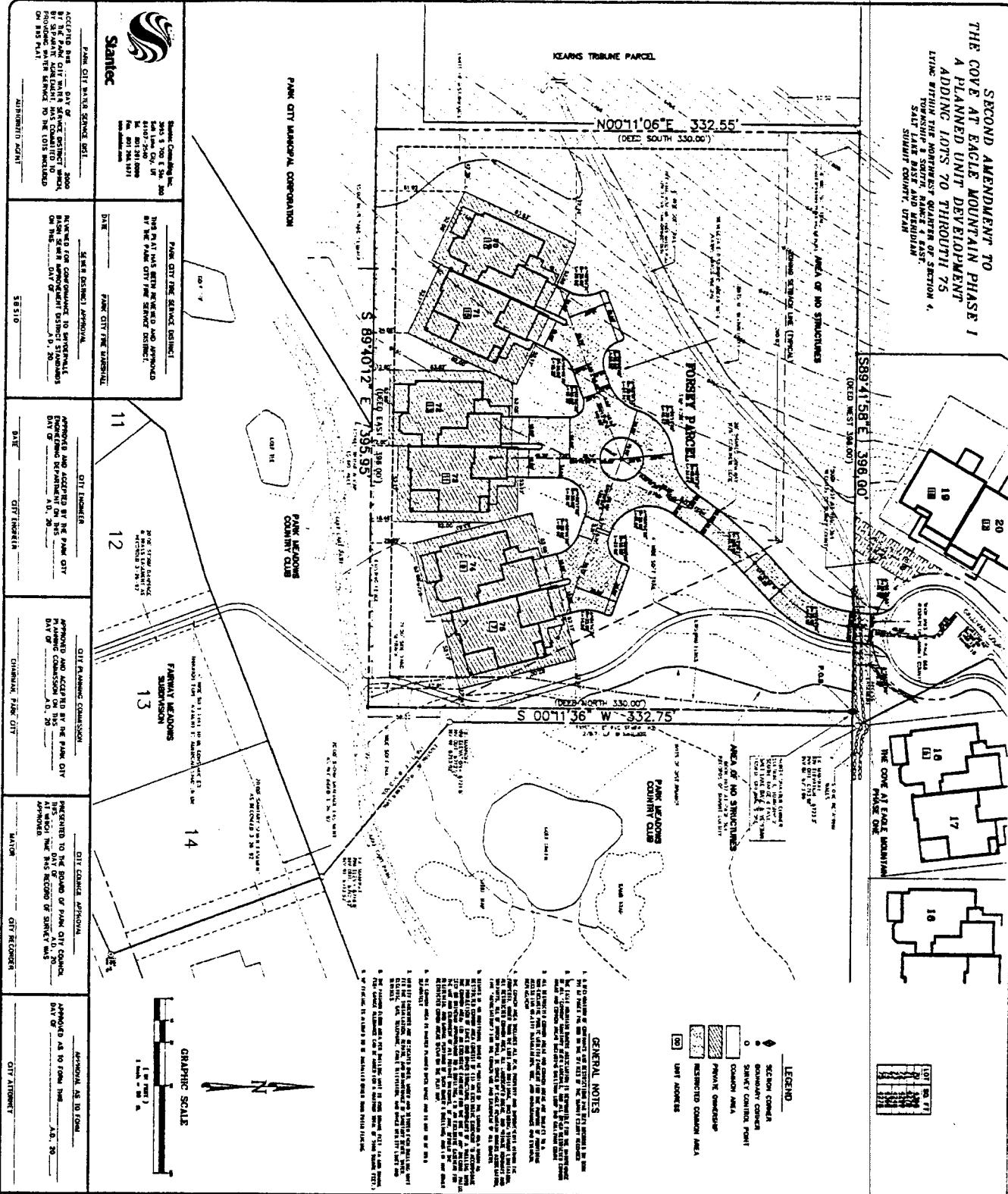
Janet M. Scott
Janet M. Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney



SECOND AMENDMENT TO THE COVE AT EAGLE MOUNTAIN PHASE I
A PLANNED UNIT DEVELOPMENT
 ADDING LOTS 70 THROUGH 75
 WITHIN THE HARBORVIEW SUBDIVISION OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND BENCHMAN SUBMIT COUNTY, UTAH



- LEGEND**
- SECTION CORNER
 - BOUNDARY CORNER
 - SHADEY CORNER POINT
 - CORNER AREA
 - PARKING OVERLAP
 - RESTRICTED COMMON AREA
 - UNIT ADDRESS

GENERAL NOTES

1. THE PLANNED UNIT DEVELOPMENT (PUD) IS SUBJECT TO THE CITY OF PARK CITY ZONING ORDINANCES AND THE CITY ENGINEER'S REVIEW AND APPROVAL.
2. THE PUD IS SUBJECT TO THE CITY OF PARK CITY SUBDIVISION MAP ACT AND THE CITY ENGINEER'S REVIEW AND APPROVAL.
3. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
4. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
5. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
6. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
7. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
8. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
9. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.
10. THE PUD IS SUBJECT TO THE CITY OF PARK CITY PLANNING COMMISSION REVIEW AND APPROVAL.

PLANNED UNIT DEVELOPMENT SUBDIVISION

FORSEY PLANNED UNIT DEVELOPMENT SUBDIVISION

LOCATED IN THE NW 1/4 SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST, SALT LAKE BASIN SUBMIT COUNTY, UTAH

DATE: NOV 03 2007

RECORDED AT THE COUNTY CLERK'S OFFICE OF SALT LAKE COUNTY, UTAH, ON NOV 03 2007, AT 10:30 AM.

BY: [Signature]

NOTARY PUBLIC

STATE OF UTAH

COUNTY OF UTAH

ACKNOWLEDGMENT

FORSEY PLANNED UNIT DEVELOPMENT SUBDIVISION

RECORDED AT THE COUNTY CLERK'S OFFICE OF SALT LAKE COUNTY, UTAH, ON NOV 03 2007, AT 10:30 AM.

BY: [Signature]

NOTARY PUBLIC

STATE OF UTAH

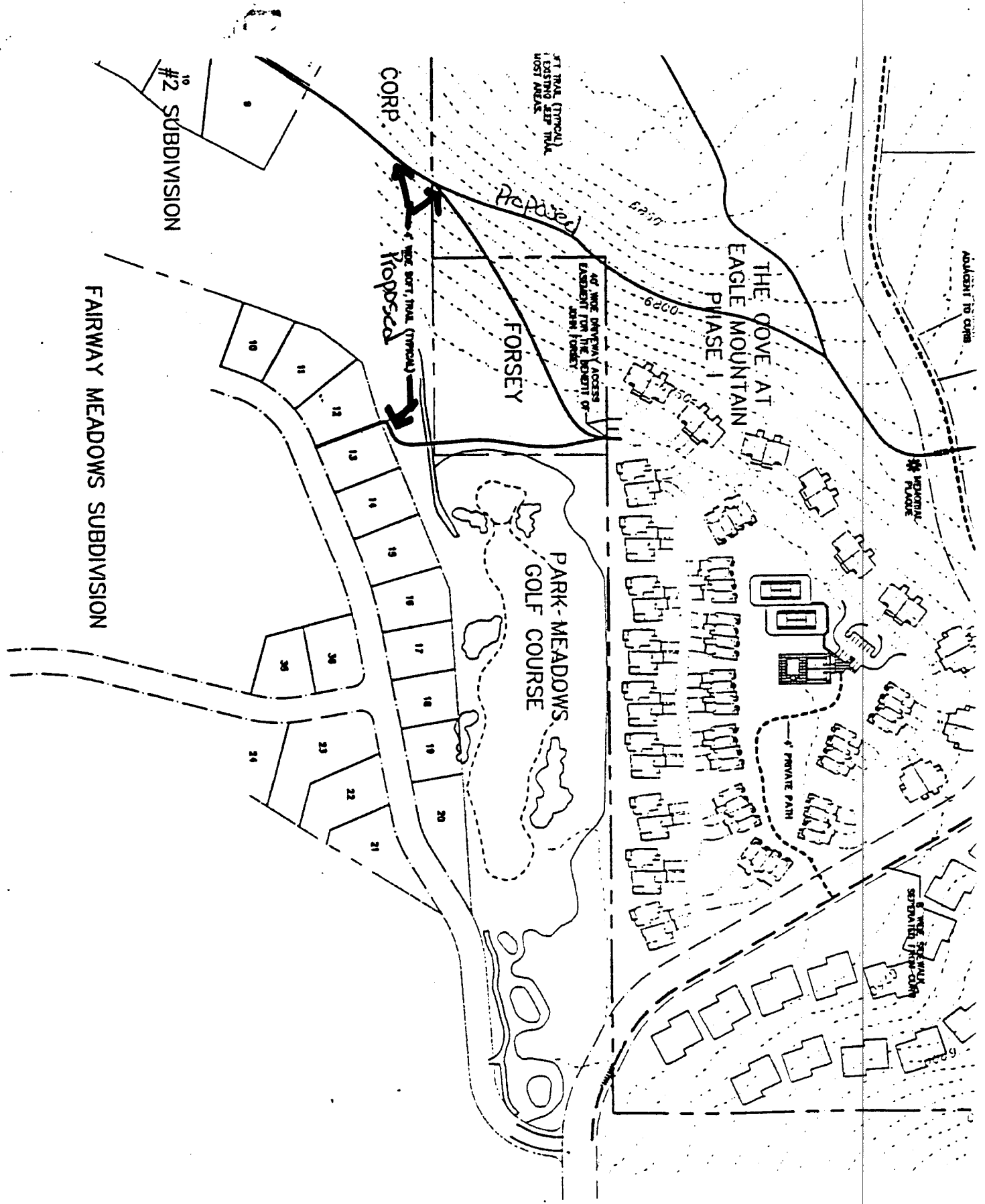
COUNTY OF UTAH

ACKNOWLEDGMENT

RECEIVED

NOV 03 2007

PARK CITY PLANNING DEPT





Ordinance No. 01-5

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE 3615 AND 3635 SUN RIDGE DRIVE, LOTS 5 & 6 ROYAL OAKS SUBDIVISION, PARK CITY, UTAH

WHEREAS, the owners of the property known as lot 6 of the Royal Oaks Subdivision have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 14, 2001, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on February 14, 2001, forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 15, 2001, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment to the Royal Oaks Subdivision.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Royal Oaks Subdivision plat is hereby amended as shown in Exhibit A subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The lots are located at 3615 and 3635 Sun Ridge Drive, also known as lots 5 and 6, Royal Oaks subdivision.
2. The property is located in the RD-MPD, Residential Development Zone - Master Planned Development
3. Vincent and Marie Mascatello own lot 5 of the Royal Oaks Subdivision.
4. Legacy Management, LLC owns lot 6 of the Royal Oaks Subdivision.

5. Dave Evans is the Managing Member of the Legacy Management LLC and is enabled to represent sufficient interest for that company. He has submitted written approval of this replat.
6. The Mascatello's have a purchase agreement to buy lot 6 of the Royal Oaks with Legacy Management LLC.
7. The proposed Mascatello re-plat will combine lots 5 and 6 of the Royal Oaks Subdivision into a single lot to allow the construction of one single family dwelling.
8. The proposed lot combination will result in one 31,713 square foot lot (.73 acres).
9. The proposed lot will be compatible in size with neighboring lots.
10. On the existing Royal Oaks Subdivision Plat the maximum house size allowed is 7,500 square feet.
11. The maximum square footage allowed by combining these two lots based on Section 2.13-6 (a) is 9,375 square feet. The applicant has proposed a maximum house size of 9,300 square feet.
12. The minimum setbacks for the proposed house size are 22.3' in the front and rear yards, and 17.9 in the sides.
13. The proposed plat amendment indicates a 15' front yard setback, 25' rear setback and 30' side yards.
14. The Land Management Code allows the Community Development Director to allow for some variation with setbacks in the case of unusual lot configurations, topography, access problems, or significant vegetation.
15. The plat amendment would result in a $\approx 240'$ x $\approx 120'$ lot which would be long and shallow compared to other lots in the subdivision. Approval of a 15' front yard setback maintains a larger setback at the rear of the lot. The replat also results in increased side yard setbacks.
16. The existing utility easements would remain and are not proposed to be relocated.
17. Written notice was mailed to all owners of property within 300 feet.
18. The project complies with Section 15 Subdivision Regulations of the Land Management Code.
19. The facts discussed in the background and analysis sections are incorporated herein.
20. The Planning Commission forwarded a positive recommendation to approve this Plat Amendment at their February 14, 2001 meeting.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.

Conditions of Approval:

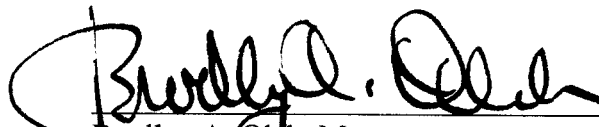
1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. Note 6 on the existing Royal Oaks Subdivision Plat shall be amended to read, "Homes on Lots 1,2,4 and 12 shall be a maximum of 5000 square feet. Homes on Lots 3,7,8,9,10,11 and 13 shall be a maximum size 7,500 square feet. The home on the Mascatello Replat shall not

exceed 9,375 square feet. Structures in excess of 5,000 square feet may be required to be "compartmentalized" as required by the Fire Marshall."

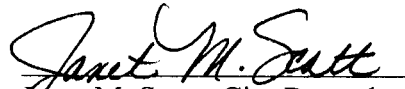
4. The minimum setbacks allowed by this plat amendment are 15' front yard, 25' rear yard and 30' side yards.
5. A building permit may not be issued without prior recordation of the plat amendment.
6. All other conditions of approval of the Royal Oaks subdivision continue to apply.
7. The existing utility easements would remain.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
PASSED AND ADOPTED this 15th day of February, 2001.

PARK CITY MUNICIPAL CORPORATION

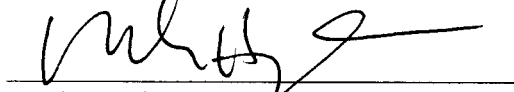

Bradley A. Olch, Mayor

ATTEST:


Janet M. Scott, City Recorder



APPROVED AS TO FORM:


Mark Harrington, City Attorney

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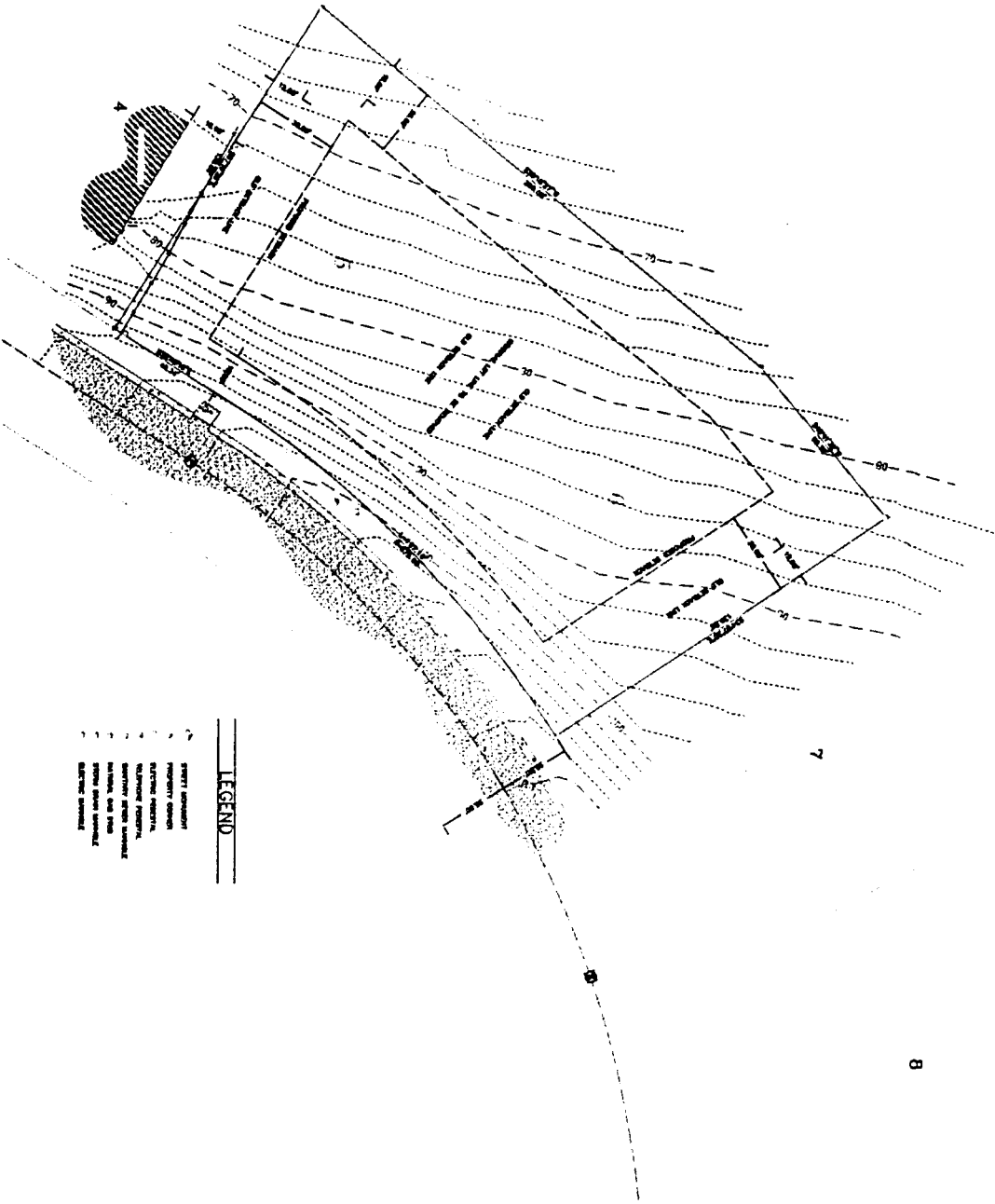
DEC 12 2000

PARK CITY
PLANNING DEPT.

MASCATELLO REPLAT

A LOT LINE ADJUSTMENT

SECTIONS 10 & 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



LEGEND

- 1. RIGHT ADJUSTMENT
- 2. PROPERTY CORNER
- 3. METERS CORNER
- 4. METERS CORNER
- 5. PROPERTY CORNER
- 6. METERS CORNER
- 7. PROPERTY CORNER
- 8. METERS CORNER
- 9. PROPERTY CORNER
- 10. METERS CORNER

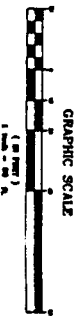


EXHIBIT A



PARK CITY SURVEYING
200 West 2000
Park City, Utah 84302
Phone: 435.734.1111

STANDARD PLAN FROM DEPT. OF SURVEYING, UTAH

AS ORDERED BY THE CITY

DATE: 11/15/00

BY: [Signature]

PROJECT: [Signature]



Ordinance No. 01-4

**AN ORDINANCE AUTHORIZING AN EXTENSION TO RECORD
THE 210 ONTARIO AVENUE PLAT AMENDMENT
LOCATED IN BLOCK 53 AND BLOCK 60
OF THE PARK CITY SURVEY, PARK CITY, UTAH
APPROVED BY ORDINANCE NO. 00-06**

WHEREAS, the owners of the property known as James and Sandra Ivers, owners of Lots 1-5, Block 60 and Lots 27-32, Block 53 of the Park City Survey, petitioned the City Council and received approval of a revision to the final plat on February 10, 2000; and

WHEREAS, the owners of the property have petitioned the City Council for an extension to record the record of survey and plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT

1. The proposed extension request was reviewed for compliance with the Land Management Code, Chapter 2.1 (HRL Zoning District), Section 15 (Subdivision regulations), and Section 15-1.11(c) (Plat approval).
2. The original approval expired on February 10, 2001. The applicant submitted an extension request on January 31, 2001. The February 15, 2001 meeting was the earliest meeting date for this item to appear before the Council.
3. The applicant stipulates to all conditions of approval.
4. The approved plat amendment results in a reduction in the underlying density of the property.

SECTION 2. CONCLUSIONS OF LAW:

1. The plans as submitted and reviewed by the City Council on February 10, 2000 comply with the Land Management Code, Sections 15-1-11(c) - Plat Approval, Chapter 2.1- HRL, Historic Residential-Low Density District, and Section 15- Subdivision Regulations.

2. The plat as submitted and reviewed by the Council complies with the Land Management Code, Section 15-1-11(c) Plat Amendments and Chapter 2.1 (HRL) Historic Residential-Low Density District.
3. The six month extension request is reasonable.

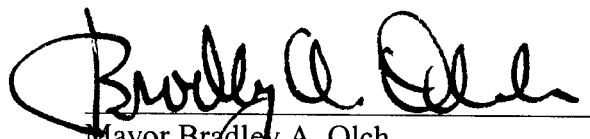
SECTION 3. CONDITIONS OF APPROVAL:

1. The City Council conditions of approval for 210 Ontario Avenue, dated February 10, 2000, are in full force and effect.
2. All Standard Project Conditions shall apply.
3. Receipt and approval of a Construction Mitigation Plan (CMP) by the Community Development Department is a condition precedent to the issuance of a building permit. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, temporary lighting, and any other construction-related details to the satisfaction of the Community Development Department.
4. Any changes or modifications affecting the original plat approval shall require Planning Commission review and approval and final approval by the City Council.
5. The new expiration date for the 210 Ontario Avenue Plat Amendment is August 10, 2001.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 15th day of February, 2001.

PARK CITY MUNICIPAL CORPORATION

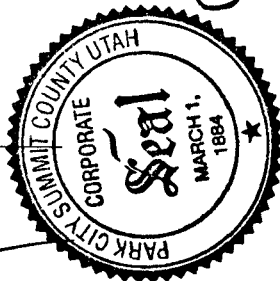


Mayor Bradley A. Olch

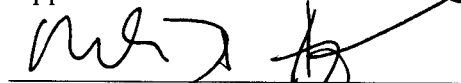
Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



Ordinance No. 01-3

**AN ORDINANCE AMENDING, SECTION 8.30 OF THE LAND MANAGEMENT CODE,
REGULATING TEMPORARY TELECOMMUNICATIONS FACILITIES
ASSOCIATED WITH THE 2002 OLYMPIC WINTER GAMES**

WHEREAS, On June 1, 2000, the City Council adopted an amendment to the Land Management Code which requires the Planning Commission to review all Telecommunications Facility applications; and

WHEREAS, Park City is a venue City for the 2002 Winter Olympics; and

WHEREAS, prior to and during the 2002 Winter Olympics the area will see an increase in cellular phone users, including organizers, sponsors, competitors, and visitors; and

WHEREAS, Telecommunications carriers desire to locate additional Telecommunications Facilities within boundaries of Park City Municipal Corporation in order to increase their capacity during the 2002 Winter Olympics; and

WHEREAS, the City Council desires to establish an expedited process for permitting such temporary Telecommunications Facilities within Park City while providing for public participation in such process via notice; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS: The Council finds that:

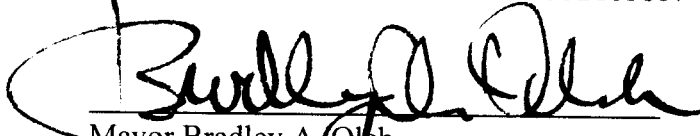
1. The number of Telecommunications Facility applications anticipated by carriers to meet their cellular capacity needs during the 2002 Winter Olympics could over-burden the Planning Commission process;
2. The current Section 8.30 of the Land Management Code permits prohibits administrative review and approval of Telecommunications Facilities;
3. Prior applications for Telecommunications Facilities in Park City have aroused significant public interest and attracted considerable, valid public input that may not have otherwise been considered under the current ordinance;
4. It is in the best interest of Park City and for the protection of the general welfare of its citizens to allow public participation in the Telecommunications Facility permitting process;

SECTION 2. AMENDMENT TO CHAPTER 8 OF THE LAND MANAGEMENT CODE. Chapter 8.30 is hereby amended by adding Subsection 8.30(q) attached hereto as Exhibit A.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 2nd day of February, 2001.

PARK CITY MUNICIPAL CORPORATION



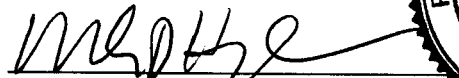
Mayor Bradley A. Olch

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

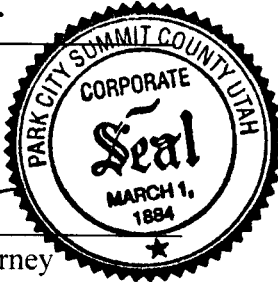


EXHIBIT A

- (q) **Olympic Telecommunications Facilities.** The regulations contained in this Subsection shall govern the use, installation, maintenance, and removal of temporary Telecommunications Facilities associated with the 2002 Olympic Winter Games. All applications for temporary Telecommunications Facilities not associated with the 2002 Olympic Winter Games shall be governed by Subsection 8.30(o).
1. **Purpose.** Park City recognizes that due to the influx of organizers, sponsors, competitors, and visitors associated with the 2002 Olympic Winter Games, Telecommunications companies require the use of temporary Telecommunications Facilities to meet increased demand. Park City also recognizes that the demand for increased coverage, as well as necessary set-up and take-down time, far exceeds the permitted time limit for temporary Telecommunications Facilities as described in Subsection 8.30(o). The purpose of this Subsection is to accommodate the unique increase in demand for Telecommunications associated with the 2002 Winter Olympic Games for a reasonable period of time, and to ensure that such temporary Telecommunications Facilities are compatible with the unique characteristics of each zoning district of Park City. This Subsection further intends to ensure that any adverse impacts on community quality and safety are temporary and mitigated to the greatest extent possible.
 2. **Definitions.** As used in this section, the following terms shall be defined as follows:
 - a. "Cell on Wheels," or "COW" means a mobile temporary Telecommunications Facility which is located on a trailer.
 - b. "Olympic Telecommunications Facility" means a temporary Telecommunications Facility associated with the 2002 Olympic Winter Games.
 3. **Submittal Requirements.** A complete application for an Olympic Telecommunications Facility shall include all requirements as stated within the Olympic Telecommunications Facility Application available in the Community Development Department, as well as the following:
 - a. Each applicant shall present documentary evidence regarding the need for additional capacity within the City. This information shall identify the applicant's existing Telecommunications Facilities and coverage areas to demonstrate the need for the proposed Telecommunications Facility within the City; and
 - b. A visual impact study, graphically simulating through models, computer enhanced graphics or similar techniques, the appearance of any proposed Telecommunications Facility and indicating its view from at least five locations around and within one mile of the proposed Telecommunications Facility where it will be most visible.
 4. **Administrative Review.** All applications for Olympic Telecommunications

Facilities shall be administratively reviewed and either approved or denied by Community Development Department Staff, pursuant to the criteria provided below. At the applicant's option, any application that is denied for noncompliance with the administrative review criteria may be reviewed by the Planning Commission pursuant to the Land Management Code, Subsections 8.30(a-n).

- a. Noticing. Notice of applications will be sent too all property owners within three-hundred (300) feet of the proposed Olympic Telecommunications Facility once Staff's preliminary determination of compliance has been reached, establishing a ten (10) calendar day period in which Staff's decision can be appealed to the Planning Commission.

5. **Administrative Review Criteria.** The intent of these criteria is to locate Olympic Telecommunications Facilities where they are least visible from public streets, public areas, and designated view corridors, and to the greatest extent possible, provide screening from adjacent property owners. The Community Development Department shall not issue an administrative Conditional Use Permit for an Olympic Telecommunications Facility unless it finds that the application complies with all of the following criteria:

- a. Rights of Way. No Olympic Telecommunications Facility shall be located wholly or in part within any right of way, either public or private. No Olympic Telecommunications Facility shall be located in a manner that impedes vehicular, pedestrian, or other traffic in any way.
- b. Setbacks. Olympic Telecommunications Facilities shall comply with the setbacks of the underlying zone as stated in the Land Management Code. Olympic Telecommunications Facilities shall comply with the setbacks for main structures and shall not be determined accessory structures.
- c. Height. Olympic Telecommunications Facilities shall comply with the base height requirements, as stated in Title 15 of the Land Management Code, for the zone in which it is placed. The height shall be measured from the grade or roof beneath to the top of the Antenna or mounting hardware, whichever is higher. The following exemptions shall apply.
 - i. Antenna, placed on a flat roof, may extend up to ten (10) feet above the existing structure, provided that the Antenna setback from the edge of the roof is a minimum distance equal to or greater than the height of the Antenna.
 - ii. Roof Mounted Antenna, placed on a pitched roof, may extend up to five (5) feet above the existing structure.
 - iii. Freestanding Antenna may exceed the base height of the zone by up to 30% when a majority of the facility and support structure is not visible from the right-of-ways due to either existing vegetation or the location of the surrounding structures.

- d. Design.
- i. Mechanical Equipment located outside of an existing building shall be secure and screened to prevent tampering. In cases where the Mechanical Equipment is visible from a right-of-way or is adjacent to a pedestrian walkway, the equipment must be screened by a wood fence, or other appropriate material.
 - ii. Antenna and associated equipment placed on existing structures shall incorporate materials and colors present in the context of the surrounding area.
- e. Site Circulation. The location of the Olympic Telecommunications Facility shall not impede traffic and/or pedestrian circulation of the site. The location of the Olympic Telecommunications Facility shall not cause the removal of any existing parking spaces, nor compromise parking, trash containers, deliveries or emergency access to adjacent structures or uses.
- f. Site Disturbance. The Olympic Telecommunications Facility shall leave no temporary and/or lasting impacts on access to the site nor on the site where the facility was located, such as removal or disturbance of significant vegetation. As used herein, "Significant Vegetation" means trees six inches (6") in diameter or greater measured four feet six inches (4'6") above the ground, groves of small trees or clumps of oak and maple covering an area of twenty (20) square feet or more measured at the drip line. Plans must show all trees within twenty feet (20') of a proposed Olympic Telecommunications Facility or within twenty (20) feet of any proposed access route thereto.

The Community Development Department will require, as a condition of approval, the mitigation of any site disturbance occurring during installation of the facility. This condition will need to be met prior to the site becoming operational.

Upon removal of the Olympic Telecommunications Facility, the applicant shall reasonably return the site to its natural and/or original condition on the date of infrastructure permit approval. The Community Development Department may require, as a condition to the approval, that the applicant adopt and comply with a revegetation plan for the site specifying vegetation type, size, location and grass seed mixture. The revegetation plan for the site shall be approved by Community Development Department Staff.

- g. Zoning Restrictions.
- i. Olympic Telecommunications Facilities in the HRC, HCB, HRL, HR-1, HR-2, HRM, E-40, E, SF, R-1, RM, ROS, FPZ, and POS zones are required to be reviewed pursuant to Section 8.30(f) of the Land Management Code. Olympic Telecommunications Facility are

additionally to be reviewed pursuant to Subsections 8.30(a-n) of the Land Management Code.

- ii. Olympic Telecommunications Facilities are permitted to be reviewed pursuant to Subsection 8.30(q) within the RDM, GC, LI, RCO, RD and RC zones.
 - h. Signs. No signs may be attached to or associated with any Olympic Telecommunications Facility except those relating to the health and safety of the general public.
 - i. Noise. The Olympic Telecommunications Facility must comply with any noise regulations applicable to the zone in which the facility is located.
6. **Exemptions**. Those Olympic Telecommunications Facilities located within the Olympic Sports Venues or Use Areas, which are reviewed and approved by the City as part of a an approved Master Festival License and/or City Services Agreement, are exempt.
7. **Permits**. Approved Olympic Telecommunications Facilities will receive three permits from the Community Development Department
- a. Conditional Use Permit.
 - b. Infrastructure Permit. The infrastructure plan for the site shall be reviewed and approved or denied through an Engineering Department Permit prior to installation. Infrastructure permits shall specify a date not earlier than April 15, 2001, upon which the applicant may begin infrastructure construction. This permit shall be separate and distinct from the Building Permit for the installation of the Antenna, Equipment Shelter, and any other non-infrastructure related components of the Olympic Telecommunications Facility
 - c. Antenna Installation Permit. No Antenna, Equipment Shelter, or any other non-infrastructure related components of the Olympic Telecommunications Facility shall be installed without first receiving approval of a Building Permit. Antenna Installation permits shall specify an installation date not earlier than October 1, 2001.
8. **Olympic Telecommunications Facility Removal**. All conditional use permits for Olympic Telecommunications Facilities shall specify a date upon which the applicant must complete removal of the Olympic Telecommunications Facility, including infrastructure. The Community Development Department shall determine the removal date taking into consideration the location of the site and any possible environmental factors effecting the removal process. Removal of the Olympic Telecommunications Facility shall include reasonably returning the site to its natural and/or original condition at the date of infrastructure permit approval. The applicant shall be solely responsible for the removal of Olympic Telecommunications Facility by the date specified in the Conditional Use Permit. If such facility is not removed

and/or the site is not returned to its natural condition pursuant to the revegetation plan by the applicant, then the City may employ all legal measures, including as necessary, obtaining authorization from a court of competent jurisdiction, to remove the facility, and after removal may place a lien on the subject property for all direct and indirect costs incurred in dismantling and disposal of the tower, including court costs and reasonable attorney fees.



Ordinance No. 01-2

AN ORDINANCE AMENDING AND REORGANIZING THE SIGN CODE, TITLE 12 OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, a uniform sign code has been adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to develop standards so that there is consistent criteria for review of sign applications and the community has clear notice of the Sign Code standards; and

WHEREAS, the City Council finds that the proposed changes to the Sign Code are necessary to prevent visual clutter, to aid tourists in easily identifying business locations, to facilitate traffic regulation, to preserve the historic and resort nature of Park City, to safeguard and enhance property values, and to supplement existing zoning regulations; and

WHEREAS, the Planning Staff has considered standards in other resort communities and input from the Planning Commission and business community in recommending these changes to the Sign Code;

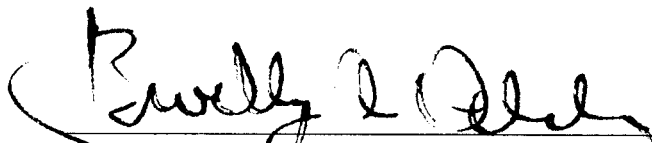
NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, that:

SECTION 1. AMENDMENT TO TITLE 12 OF THE PARK CITY MUNICIPAL CODE Title 12 of the Municipal Code of Park City is hereby amended to read as follows and table of contents adjusted accordingly:

SECTION 2. EFFECTIVE DATE This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 25th day of January, 2001.

PARK CITY MUNICIPAL CORPORATION

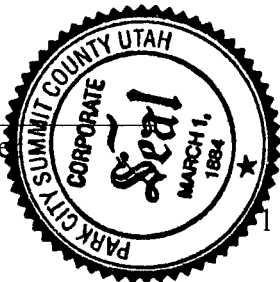


Mayor Bradley A. Olch


Attest:



Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney

TITLE 12 - SIGN CODE

CHAPTER 1 - PURPOSE AND SCOPE

12- 1- 1. PURPOSE AND SCOPE.

The City Council of Park City, Utah finds and declares that by controlling and standardizing signs in the community, the regulations set forth in this Title will reduce potential hazards to motorists and pedestrians; encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy; encourage sign legibility through the elimination of excessive and confusing sign displays; prevent confusion of business signs with traffic regulations; preserve and improve the appearance of the city as an historic, mountain and resort community in which to live and work; create an unique environment to attract visitors; allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner; safeguard and enhance property values; protect public and private investment in buildings and open space; supplement and be a part of the zoning regulations imposed by Park City; and promote the public health, safety, and general welfare of the citizens of Park City.

12- 1- 2. INTERPRETATION.

The Planning Commission, ~~or Historic District Commission~~ (if the sign is in the ~~Historic District~~) shall have the authority and duty to interpret the provisions of this Title at the request of the Community Development Director or when a written

appeal from a decision from the Community Development Department is filed with the Planning Commission ~~or Historic District Commission~~. for signs in the ~~Historic District~~. In interpreting and applying the provisions of this Title, the sign requirements contained herein are declared to be the maximum allowable for the purposes set forth. The Community Development Department, ~~Historic District Commission~~ and/or the Planning Commission may determine that a smaller sign is more appropriate based on the size and scale of the structure(s), pedestrian traffic, safety issues, orientation, and neighborhood compatibility. The types of signs allowed by this Title shall be plenary and sign types not specifically allowed as set forth within this Title, shall be prohibited.

CHAPTER 2 - DEFINITIONS

For purposes of this Title, the following abbreviations, terms, phrases, and words shall be defined as specified in this section:

- (A) **ABANDONED SIGN.** Any sign applicable to a use which has been discontinued for a period of three (3) months.
- (B) **ALTERATIONS.** Alterations as applied to a sign means change or rearrangement in the structural parts or its design, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another.
- (C) **AREA OF SIGN.** The area of a

sign face shall be computed by measurement of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display. This shall include any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area calculation shall not include structural supporting framework, bracing or wall when such wall meets zoning ordinance regulations and is clearly incidental to the display itself.

If individual letters are mounted directly on a wall or canopy, each message shall be considered a sign. The sign area shall be the area in square feet of the smallest rectangle which encloses the sign, message or logo.

- (D) **BALCONY.** A platform that projects from the wall of a building and is surrounded by a railing or balustrade.
- (E) **BANNER.** A strip of cloth, plastic, paper or other material on which letters or logos are painted or written, hung up or carried on a crossbar, staff, string or between two poles.
- (F) **BILLBOARD.** A permanent outdoor advertising sign that advertises goods, products, or services not necessarily sold on the premises on which said sign is located.
- (G) **BUILDING FACE OR WALL.** All window and wall area of a building on one plane or elevation.
- (H) **CANOPY.** A roofed structure

constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.

(I) **COMMUNITY OR CIVIC EVENT.** A public event that is of interest to the community as a whole rather than the promotion of any product, political candidate, religious leader or commercial goods or services.

(J) **DISPLAY BOX.** A freestanding or wall sign enclosed in glass for the express purpose of displaying menus, current entertainment or other like items.

(K) **ELECTRONIC DISPLAY TERMINAL.** An electronic display, terminal, screen, or monitor used to receive or provide information, advertise a good or service or promote an event

(L)(K) **FLAG.** A piece of cloth, plastic or similar material, usually rectangular or triangular, attached by one edge to a staff, pole as a distinctive symbol of a country, government, organization or other entity or cause.

(M) **GRADE.** The ground surface elevation of a site or parcel of land.

(N) **GRADE, EXISTING.** The grade of a property prior to any proposed Development or Construction activity.

(O) **GRADE, NATURAL.** The grade of the surface of land prior to any Development Activity or any other man-made disturbance

or grading. The Community Development Department shall estimate the Natural Grade, if not readily apparent, by reference elevations at points where the disturbed area appears to meet three undisturbed portions of the property. The estimated Natural Grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, abrupt differences in the visual slope and elevation of the land, or redirecting the flow of run-off water.

(P) GRADE, FINAL. The finished or resulting grade where earth meets the building after completion of the proposed development activity.

(Q) HANDBILL A paper, sticker, flyer, poster, pamphlet or other type of medium distributed by hand for identification, advertisement, or promotion of the interest of any person, entity, product, event, or service.

(R)(~~F~~) HEIGHT OF SIGN. The height of a sign is the vertical distance measured from natural grade to the top of the sign, including the air space between the ground and the sign. Only when the topography is altered to adjust the ground height to the level of the public right of way, shall the sign be measured from final grade.

(S)(~~M~~) MASTER SIGN PLAN. A plan designed to show the relationship of signs for any cluster of buildings or any single building housing a number of users or in any arrangement of buildings or shops which constitute a visual entity as a whole.

(T)(~~N~~) NAME PLATE. Sign identifying the name, occupation, and/or professions of the occupants of the premises.

(~~O~~) NATURAL GRADE. The elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance.

(U)(~~P~~) NON-CONFORMING SIGN (LEGAL). Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of the Code and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Code.

(V)(~~Q~~) ON-PREMISE SIGN. Sign identifying the name, occupation, and/or professions of the occupants of the premises.

(W)(~~R~~) OFF-PREMISE SIGN. Sign identifying the name, occupation, and/or professions of the occupants of the premises. A sign identifying a business, commodity, service or industry which is not conducted upon the premises on which the sign is placed.

(X)(~~S~~) PREMISE. Land and the buildings, owned or rented, upon it.

(Y)(~~T~~) PUBLIC PROPERTY. Any property owned by a governmental entity.

(Z)(~~U~~) SIGN. Sign shall mean and include every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of a sign shall also include the sign structure,

supports, lighting system, and any attachments, flags, ornaments or other features used to draw the attention of observers.

(AA)(V) **SIGN, AWNING**. Any sign painted on or attached to an awning.

(BB)(W) **SIGN, CABINET**. A frame covered by translucent material. The entire structure is one unit and the copy is not intended to include the individual letters.

(CC)(X) **SIGN, CAMPAIGN**. A temporary sign on or off-premises, announcing, promoting, or drawing attention to any candidate(s) seeking public office in a forthcoming election; or signs announcing political issues, for or against.

(DD)(Y) **SIGN, CANOPY**. Any sign painted or attached to a canopy.

(EE)(Z) **SIGN, CHANGEABLE COPY**. A Manually operated sign that displays graphical content or a message that can be easily changed or altered. is characterized by ~~graphical content that can be changed or altered through mechanical or electrical means:~~

(FF)(AA) **SIGN, CONSTRUCTION**. A temporary sign placed on a site identifying a new development, the contractor, builder and/or financial institution and may include a plat map, project marketing sign and real estate information.

(GG)(BB) **SIGN, DIRECTIONAL (GUIDE SIGN)**. Signs which serve as directional guides to recognized areas of regional importance and patronage. To clarify and define such areas of regional

importance and patronage, four (4) types of areas are intended to be included:

- (1) Recreational and entertainment centers of recognized regional significance.
- (2) Major sports stadiums, entertainment centers or convention centers having a seating capacity in excess of 1,000 persons.
- (3) Historical landmarks, churches, schools, community centers, hospitals and parks.
- (4) Public safety, municipal directional, parking and essential services.

(HH)(CC) **SIGN, DIRECTORY**. An identification sign, located on the premise to direct traffic, that contains the name of a building, complex or center and name and address of two (2) or more businesses being part of the same sign structure or interior to the building which can be seen from the outdoors.

(II)(DD) **SIGN, ELECTRONIC**. ~~A window, wall or other sign that changes copy electronically.~~ A window, wall or other sign that changes messages through a marquee, reader board, electronic message center or other replaceable copy area.

(JJ)(EE) **SIGN, FREE-STANDING (MONUMENT)**. A sign that is supported by one or more uprights or braces which are fastened to, or embedded in the ground or a

foundation in the ground and not attached to any building or wall.

(KK) **SIGN, GHOST.** A sign on an exterior building wall which has been weathered and faded to the extent that it has lost its original brightness of color and visibility.

(LL)(FF) **SIGN, HANGING.** A sign attached underneath a canopy, awning or colonnade.

(MM) **SIGN, HISTORIC.** A sign that by its construction materials, age, prominent location, unique design or craftsmanship provides historic character, individuality, and a sense of place or orientation regarding clues to a building's history.

(NN) **SIGN, HISTORIC REPLICATION.** A sign which is an exact replication of a historic sign which once existed in the same location. The replication sign matches the materials and size of the original.

(OO)(GG) **SIGN, HOURS OF OPERATION.** A sign that displays the hours during which the building's tenant serves the public, this includes "open" and "closed" signs.

(PP)(HH) **SIGN, IDENTIFICATION.** A sign which identifies only the name and/or logo and/or address of a commercial, industrial, or condominium complex the owner and tenants thereof.

(QQ)(II) **SIGN, INTERNALLY ILLUMINATED.** Internally illuminated signs include any sign face which is lit or outlined by a light source located within the

sign.

(RR)(JJ) **SIGN, LUMINOUS TUBE (NEON).** Any sign which has characters, letters, figures, designs or outline which is illuminated by gas filled luminous tubes, such as neon, argon or florescent.

(SS)(KK) **SIGN, POLE.** An on-premise freestanding sign that is supported by one upright of not greater than twelve inches (12") in diameter and are not attached or braced by any other structure.

(TT)(LL) **SIGN, PORTABLE.** Any sign that can be moved from place to place, is not permanently affixed to the ground or building, and is for the purpose of display only.

(UU)(MM) **SIGN, PROJECTING.** A sign attached to a building or other structure, perpendicular to the street and extending in whole or in part more than six inches (6") beyond any wall of the building or structure.

(VV)(NN) **SIGN, PUBLIC NECESSITY.** A sign that informs the public of any danger or hazard existing on or adjacent to the premises.

(WW)(OO) **SIGN, REAL ESTATE.** A temporary sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed.

(XX)(PP) **SIGN, ROOF.** A sign erected or painted upon or above the roof or parapet of a building.

(YY)(QQ) **SIGN, SOLICITATION.** Sign used to advise solicitors that they are not welcome on the property.

~~(ZZ)~~~~(RR)~~ **SIGN, SPECIAL PURPOSE.** Sign of a temporary nature other than those established by a business; for the purpose of advertising a special event pertaining to drives or events of a civic, philanthropic, educational, or religious organization.

~~(AAA)~~~~(SS)~~ **SIGN, SPECIAL SALE.** Temporary signs used to advertise a special sale on the premises.

~~(BBB)~~~~(FF)~~ **SIGN, SUBDIVISION.** An identification sign located at the entrance to a residential subdivision.

~~(CCC)~~~~(UU)~~ **SIGN, TEMPORARY.** A sign which is intended for use during a specified limited time. ~~Temporary signs, as defined by this Code, shall include Real Estate Signs, Yard Signs and Campaign Signs.~~

~~(DDD)~~~~(VV)~~ **SIGN, UMBRELLA.** A sign painted on or attached to an umbrella, including name brands, and symbols. A sign installed upon an umbrella that includes letters and symbols that displays the name of the on-premise and/or off-premise business.

~~(EEE)~~~~(WW)~~ **SIGN, VEHICLE.** Any sign, logo or advertisement placed, painted, attached, or displayed on a vehicle. ~~advertising a company, store or service for a non-profit or for-profit business.~~

~~(FFF)~~~~(XX)~~ **SIGN, WALL.** A sign with messages or copy erected parallel to and attached to or painted on the outside wall of a building.

~~(GGG)~~~~(YY)~~ **SIGN, WINDOW.** A sign installed upon or within three feet (3') from

the window, visible from the street and exceeds two square feet (2 sq. ft.) in area, for the purpose of viewing from outside of the premises. This term does not include merchandise displays.

~~(HHH)~~~~(ZZ)~~ **SIGN, YARD.** A temporary sign that announces a garage sale, open house or similar event on a property.

~~(III)~~~~(AAA)~~ **THEATER MARQUEE.** A permanent structure with changeable copy, that is used to advertise theater events.

~~(JJJ)~~~~(BBB)~~ **UMBRELLA.** A collapsible shade for protection against weather consisting of metal or fabric stretched over hinged ribs radiating from a central pole.

~~(KKK)~~~~(CCC)~~ **WALL MURAL.** A work of art, such as a painting applied directly to a wall fence, pavement or similar surface that is purely decorative in nature and content, and does not include advertising by picture or verbal message.

~~(LLL)~~~~(DDD)~~ **ZONE DISTRICT.** Refers to land use regulatory zones under the zoning ordinances of Park City.

CHAPTER 3 - PERMITS

12- 3- 1. PERMITS REQUIRED.

No person shall erect, alter, or relocate any permanent or temporary sign within Park City without first submitting a sign application and receiving approval of the Sign Permit from the City, unless the sign is exempt under this Code see Section 12.8.1. Any person who hangs, posts, or installs a sign that requires a permit under this Code and who fails to obtain an approved permit

before installing the sign, shall be guilty of a Class € B misdemeanor and shall be fined accordingly.

12- 3- 2. PRE-APPLICATION CONFERENCE.

A pre-application conference with the Community Development Department is encouraged in order for the applicant to become acquainted with application procedures, design standards, and related City ordinances. Completed Sign Permit Applications are to be submitted to the Planning Department. The Staff may assist in the preparation of the application, and shall provide information to applicants on the regulations created by this Code.

12 - 3 - 3. MASTER SIGN PLANS.

Buildings or clusters of buildings within a project or premise, having more than one tenant or use, shall provide a Master Sign Plan for the entire structure or project prior to any sign permit approval by the Planning Department.

(A) DESIGN The Master Sign Plan shall be designed to establish a common theme or design for the entire building, using similar construction methods, compatible colors, scale and identical backgrounds. All regulations as stated in this Title shall apply.

(B) MASTER SIGN PLANS FOR OFFICE BUILDINGS Master Sign Plans for office buildings must focus primarily on the identification of the building. Individual tenants may be identified by using small lettering on an exterior window, door or directories.

(C) SIGN AREA Total sign area within the Master Sign Plan is subject to the size limitations of this Title. Sign area cannot be transferred to a single building or facade from other buildings in the project.

(D) HEIGHT For multi-tenant retail and mixed-use buildings, that contain any combination of uses including residential, office, service or retail uses, master sign plans shall be designed so that signs are confined to the building surface below the finished floor elevation of the second floor or below twenty feet (20') above adjacent finished grade whichever is lower. Signs may be located on the flat wall areas, within windows or on sign bands above windows. For buildings with pre-existing sign bands or architectural features designed to compliment or house signs, the Community Development Director may grant exceptions to the second floor level sign restriction.

(E) LIGHTING Master Sign Plans shall include the location and fixture type of all exterior lighting of the proposed signs. The lighting plan shall specify wattage and bulb type to ensure compatibility with the lighting standards as stated in Land Management Code Section 9.1 of the Land Management Code. Lighting fixtures shall be similar in style and should direct all light onto the sign surface. Spot lights and flood lights are prohibited.

12- 3- 3 4. APPLICATION REQUIREMENTS.

All sign applications shall be submitted to the Community Development Department to be reviewed for compliance with the requirements set forth in this title. A complete sign application must include the

following:

A complete application must include the following:

(A) **BUILDING ELEVATIONS/SITE PLAN.** A building elevation drawn to scale which specifies the location of the sign structure, or drawings or photographs which show the scale of the sign in context with the scale of the building if the sign is to be mounted on the building. If the proposed sign is free-standing, staff will require the applicant to submit a site-plan specifying the sign location on the parcel with its relation to adjacent streets and buildings.

(B) **SCALED INSTALLATION AND DESIGN DRAWING.** Colored rendering or scaled drawing including dimensions of all sign faces, descriptions of materials to be used, including color samples, manner of construction and method of attachment, and color samples.

(C) **SCALED INSTALLATION DRAWING.** A scaled drawing which includes the description and type of material to be used. All hardware needed to install the sign shall be listed and will include sizes and weights manner of construction and method of attachment, and color samples.

~~(C) **MASTER SIGN PLAN.** A complete Master Sign Plan shall be submitted to the Planning Department for any commercial building that houses more than one use. The Master Sign Plan must be designed so that it establishes a common theme or design, uses similar construction methods, has compatible colors, lettering style, symbols, scale, and size of signs and/or identical background.~~

~~This must be submitted, by the owner, prior to issuance of a permit for any one sign on the building. If a Master Sign Plan has been~~

~~established for the building, verification of compliance with said plan shall be submitted with the sign application.~~

~~(D)(C) **LIGHTING.** Any exterior lighting for signs, shall be included in the sign application. A detailed lighting plan which clearly indicates ~~submitted shall indicate~~ the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details of the lighting. All lighting shall comply with the standards as specified in the Land Management Code Section 9.1. In addition to this requirement, an application for an electrical permit must be filed with the building department by a licensed electrician.~~

~~(E)(D) **APPLICATION FORMS.** Submit a A completed Planning Department Sign Permit Application and Building Permit Application to the Community Development Department. Both applications are available through the Community Development Department at the Planning Department.~~

~~(F)(E) **FEES.** Payment of the appropriate fees to the Park City Municipal Corporation.~~

12- 3-45. PERMIT FEES.

Sign Permit Applications shall be reviewed according to a fee schedule established by resolution. See Fee Schedule at the Planning Department.

12- 3- 56. REVIEW PROCEDURES.

Complete Sign Permit Applications will be reviewed by the Community Development Department, within thirty (30) calendar days upon receipt of a complete application. The application will be either approved, denied or returned to the applicant with requested modifications. Both the Planning and

Building Departments must approve the application before a permit can be issued. Either department may return the application for modifications or clarification.

The Building Department shall inspect, as it deems necessary, Sign Applications regulated by this Code to ascertain whether the signs have been adequately installed and adequately maintained to minimize risks to the public.

If the sign uses electrical wiring and connections, an electrical permit application must be submitted to the Building Department by a licensed electrician. This application is separate from the sign permit application. An application for a permit for erection of a sign or other advertising structure in which electrical wiring and connections are to be used shall be submitted to the Building Department. The Building Department shall examine the plans and specifications with respect to all wiring and connections to determine if they comply with the electrical code of the City, and shall be approved if the plans and specifications comply with the code or denied if non-compliance with the Uniform Building Code is found.

CHAPTER 4 - SIGN STANDARDS

12- 4- 1. TOTAL SIGN AREA REQUIREMENTS.

The sign area, per building facade, may not exceed 5% of the building face to which the sign applies, or 36 square feet per building face or 36 square feet per building face if used in conjunction with a free-standing sign, regardless of the number of businesses occupying the building, whichever is smaller. Historic signs are exempted from these requirements.

If additional sign area is necessary

appropriate, the Community Development Director may grant additional sign area, but in no case may the total sign area exceed 5% of the building face to which the sign is attached ~~applies~~. To grant additional sign area on applications, the Community Development Director must make findings based on the following criteria:

(A) **LOCATION**. Signs should be designed to fit within and **emphasize not detract from or obscure** architectural elements of the building's facade.

(B) **COMPATIBILITY**. Signs should establish a visual continuity with adjacent building facades and should be oriented to emphasize pedestrian visibility.

(C) **MULTIPLE TENANT BUILDINGS**. The building must have more than one tenant in more than one space.

(D) **STREET FRONTAGE**. The building must have more than fifty feet (50') of street frontage.

12- 4- 2. AREA OF INDIVIDUAL SIGNS.

The area of a sign shall include the entire area within any type of perimeter or border that may enclose the outer limits of any writing, representation, emblem, figure, or character, exclusive of the supporting framework.

When the sign faces of a backed sign, i.e. projecting, hanging, or free-standing signs, are parallel or within thirty degrees (30°) of parallel, only one sign face is counted into the total sign area. If the sign faces are not parallel or within thirty degrees (30°) of parallel, each sign face is counted into the total sign area.

12- 4- 3. INDIVIDUAL LETTER

HEIGHT.

Signs shall be limited to a maximum letter height of one foot (1'). The applicant may request, in writing that the Community Development Director Department may grant an exception to the one foot (1') letter height, provided the request is for an increase of no more than six (6") inches for a maximum height of allowing up to a height of eighteen inches (18"). The applicant must demonstrate that the requested exception when such extended height would be compatible with the letter's font, the building's architecture, and the placement of the sign upon the building.

For buildings located along the Frontage Protection Zone, a letter height exception may be granted by the Community Development Director when such building is greater than one-hundred and fifty feet (150') from the right-of-way of which the building has vehicular access. The maximum letter height in these cases shall be no greater than thirty inches (30").

12- 4- 4. LOCATION ON BUILDING.

~~Signs shall be designed so that their locations are confined to the building surface below the finished floor of the second floor or twenty feet (20') above adjacent natural grade whichever is lower. For buildings with approved or existing significant architectural features that may conflict with sign locations, the Community Development Director may grant exceptions to the second floor level sign restriction. Signs located above the finished floor elevation of the second floor shall be restricted to the Building Identification Signs, Windows Signs and a Directory Sign, properly located adjacent to an entrance. Architectural details of a building often suggest a location, size, or shape for a sign.~~

~~Signs should compliment the architectural details of the building. Signs should help to establish a visual continuity with adjacent store fronts and relate directly to the store entrance. Signs must be oriented toward pedestrians or vehicles in close proximity; signs oriented for distance viewing will not be permitted. Signs shall be designed and located on the building or on the premises in a manner that is compatible with the mass and scale of the building to which the sign applies. Signs must not obscure architectural details of the building; nor cover doors, windows, or other integral elements of the facade. Signs shall not obstruct views of nearby intersections and driveways.~~

The location of a sign on a structure or building has a major impact on the overall architecture of the building. To ensure that signs enhance this architecture, the following criteria must be met:

(A) HEIGHT Signs shall be below the finished floor of the second level of a building or twenty feet (20') above Finished Grade, whichever is lower. For buildings with approved or existing conflicts with this requirement, the Community Development Director may grant an exception to the second floor level sign restriction.

Signs located above the finished floor elevation of the second floor shall be restricted to Building Identification Signs, and Windows Signs.

(B) LOCATION Architectural details of a building often provide an obvious location, size, or shape for a sign. Wherever possible applicants should utilize these features in the placement of signs. Signs should compliment the visual continuity of adjacent building facades and relate directly to the entrance. Signs shall not obstruct views of nearby intersections and driveways.

(C) ORIENTATION Signs must be oriented toward pedestrians or vehicles in the adjacent street right-of-way; signs designed to be viewed from a distance are not permitted.

(D) COMPATIBILITY A sign, including its supporting structure and components, shall be designed as an integral design element of a building's architecture and shall be architecturally compatible, including color, with the building to which it is attached. Signs must not obscure architectural details of the building; nor cover doors, windows, or other integral elements of the facade.

12- 4- 5. SETBACK REQUIREMENTS.

Permanent signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial (GC) Zone, signs may be set back ten feet (10') from the property line with the exception of those in the Frontage Protection Zone. The Community Development Department Director may decrease the setback if it is determined that the public will benefit from be better served with a sign located otherwise, due to site specific conditions such as steep terrain, integration of signs on retaining walls, heavy vegetation, or existing structures on the site or adjoining properties.

12- 4- 6. PROJECTION AND CLEARANCE.

No portion of a sign may project more than 36 inches (36") from the face of a building or pole. Awnings, Projecting and Hanging signs must maintain at least eight feet (8') of clearance from ground level. Signs may not extend over the applicant's property line except those that are proposed to be placed over the Main Street sidewalk. Signs may extend over City property only after review

by the City Engineer and with the written approval of the Community Development Director and an encroachment agreement acceptable to the City Attorney.

~~12- 4- 7. MASTER SIGN PLANS.~~

~~Buildings or clusters of buildings, within a project, having more than one tenant or use, shall provide a Master Sign Plan for the entire structure or project prior to any sign permit approval by the Planning Department. The Sign Plan must be designed so that it establishes a common theme or design, uses similar construction methods, has compatible colors, scale and size of signs and/or identical background. All regulations as stated herein shall apply.~~

~~Master Sign Plans for office buildings must have their primary focus on the identification of the building. and Individual tenants may be identified by using small lettering on a window or door or directories. Total sign area within the plan is subject to the maximum size limitations of this Title. Sign area cannot be transferred to a single building or facade from other buildings in the project.~~

~~For multi-tenant retail and mixed-use buildings, that contain any combination of uses including residential, office, service or retail uses, sign plans shall be designed so that signs are confined to the building surface below the finished floor elevation of the second floor or twenty feet (20') above adjacent finished grade whichever is lower. Signs may be located on the flat wall areas, within windows or on sign bands above windows. For buildings with pre-existing sign bands or architectural features, the Community Development Director may grant exceptions to the second floor level sign restriction.~~

~~Master Sign Plans shall include the location~~

~~and fixture type of all exterior lighting of the proposed signs. The lighting plan shall specify wattage and bulb type to ensure compatibility with the lighting standards as stated in this Title and other applicable City Codes. Lighting fixtures shall be similar in style and should direct all light onto the sign surface. Spot lights and flood lights shall be prohibited.~~

12- 4- 87. SIGN MATERIALS.

Exposed surfaces of signs may be constructed of metal, glass, stone, concrete, high density foam board, brick, solid wood, or cloth. Other materials may be used in the following applications:

(A) **FACE.** The face or background of a sign may be constructed of exterior grade manufactured composite board if the face of the sign is painted and the edges of the sign are framed and sealed with silicone. Plywood is prohibited except on temporary signs where painted plywood may be used.

(B) **LETTERS.** Synthetic or manufactured materials may be used for individual cut-out or cast letters in particular applications where the synthetic or manufactured nature of the material would not be obvious due to its location on the building and/or its finish. Ivory colored plastic may be used for internally illuminated letters. Other materials may be approved by the Planning Commission at its discretion, but are otherwise prohibited. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

12- 4- 9. COLOR.

Bright and glossy fluorescent colors and reflective surfaces are prohibited. Reflective colored materials that give the appearance of changing color are prohibited as well. Signs

must be finished in subdued earthtone colors. Earthtones may be defined in this context to include the full spectrum of soil, clay and metallic colors. Spectrums of off-whites to deep browns, and light grays to black provide a wide range of acceptable colors. Brighter colors may be used provided they are imbued with brown or black tones. For example: pink imbued with brown would tend toward mauve and would be acceptable. Bright reds imbued with brown or black tones give a deeper burgundy or maroon color and may also be acceptable. Colors should compliment the color scheme of the building. A matte or flat finish is required for all painted surfaces. ~~In no case will "day-glo", fluorescent, reflective colored materials that give the appearance of changing color or brilliant luminescent colors be permitted.~~

12- 4-10. ILLUMINATION.

The purpose of regulating sign illumination is to prevent light trespass and provide clear illumination of signs without causing potential hazards to pedestrians and vehicles.

(A) EXTERNALLY ILLUMINATED SIGNS.

~~(1) Fixtures. Lighting fixtures shall be simple in form and should not clutter the building. The fixtures should be partially or fully shielded as to contain the light rays to the sign~~

~~(2) Light Source. Only certain light sources are allowed when lighting signs. The following table describes the type of light sources permitted and the maximum wattage they are permitted. Colored lights are prohibited. See section 12-4-10C for seasonal lighting.~~

Type of Source (Bulb Type)	Maximum Wattage Allowed
High Pressure Sodium	55
Fluorescent	75

(A) EXTERNALLY ILLUMINATED SIGNS. Externally lit signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Light bulbs or lighting tubes used for illuminating a sign shall be simple in form and should not clutter the building or structure. Light bulbs or lighting tubes should be shielded so as to not be physically visible from adjacent public right-of-ways or residential properties.

The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way or closest right-of-way; and the illumination of a sign shall not be obtrusive to the surrounding area as directed in Section 9.1 of Title 15.

(1) FIXTURES. Lighting fixtures shall be simple in form and should not clutter the building. The fixtures should be directed only at the sign and comply with Section 9.1.

(2) COMPONENT PAINTING. All light fixtures, conduit and shielding shall be painted to match either the building or the supporting structure that serves as the background of the sign.

(B) INTERNALLY ILLUMINATED SIGNS.

(1) LETTERS. Internally illuminated signs include any sign face which is lit or outlined by a light source

located within the sign.

(a) Individual pan-channel letters with a plastic face or individual cut-out letters (i.e. letters routed out of the face of an opaque cabinet sign) are permitted. The cut-out letters shall consist of a single line with a maximum stroke width of one and one-half inches (1 ½"). Variations in stroke width may be reviewed and approved by the Community Development Department. The plastic face or backing of the letters must be ivory colored.

(b) Reversed pan-channel letters with an internal light source reflecting off of the building face may also be used for "halo" or "silhouette" lighting. Internally illuminated pan-channel letters are not permitted on free-standing signs.

(2) LIGHT SOURCE. The light source for internally illuminated signs must be white.

(3) WATTAGE. Wattage for internally illuminated signs shall be specified on the sign application, and must conform with the specifications established in Section 9.1 of the Land Management Code. In the case of multi-tenant buildings, the Planning Department will regulate the voltage and type of light as part of the master sign plan application to ensure consistency. ~~to keep the signs consistent.~~

(4) ZONING RESTRICTIONS. Individual pan-channel letters and individual reversed pan-channel letters are prohibited within the Historic District. Signs which incorporate "halo" or "silhouette" lighting behind one sign face with the letters cut out of metal or wood sign material are allowed within the Historic District provided they are consistent with the other regulations established in this section.

(C) **SEASONAL.** Seasonal restrictions apply to all zones except all residential uses within the HR-1, HR-2, HRL, SF, RM, R-1, RDM, and RD Districts. Strings of lights that outline buildings, building architectural features and surrounding trees, shall be allowed from the 1st of November through the 15th of April only. These lights shall not flash, blink or simulate motion.

Strings of lights that outline buildings, building architectural features and surrounding trees, shall be allowed from the 1st of November through the 15th of April only. These lights shall not flash, blink or simulate motion. These restrictions apply to all zones except residential uses within the HR-1, HR-2, HRL, SF, RM, R-1, RDM, and RD Districts

(D) **PROHIBITED LIGHTING.** Lights which flash or move in any manner are prohibited. Colored lights are prohibited.

~~12-4-11. SIGN CONTENT.~~

Signs shall be limited in content to material that is intended to be permanent (with the exception of theater or gallery marquees). It is the City's intent to facilitate traffic flow and void traffic hazards caused by confusing or cluttered signs. Because individuals, who may be looking for a specific business often depend on sign text that assimilates business names as listed in telephone directories or other promotional advertisements, the name of the business, nature of the goods or services offered, and street address may be contained in the sign except that a free-standing sign may only identify the name of the building, project or primary business. Statements of prices for specific items, listing of items beyond a general category of merchandise, telephone numbers, or similar information directed at the merchandise sold or service provided, rather than the

~~identification of the business are prohibited. The use of logotypes or other symbols is appropriate in addition to the name of the business, as long as the materials and colors used are in compliance with the regulations set forth in this Title. Applications for Signs that contain misleading content or false information shall be denied.~~

~~In each instance, and under the same conditions to which this Code permits any sign, a sign containing an ideological, political, or other similar message and constructed to the same physical dimensions and character shall not be permitted.~~

CHAPTER 5 - UNSAFE AND UNLAWFUL SIGNS

12- 5- 1. ABATEMENT OR REMOVAL OF UNSAFE, DANGEROUS NON-MAINTAINED OR ABANDONED SIGNS.

If, upon inspection, the Building Official determines a sign or awning permitted by the Park City Sign Code to be unsafe, unmaintained, or abandoned, the Building Official may issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within ~~five (5)~~ ten (10) working days after receipt of notice from the City. In cases of emergency, the Building Official may cause the immediate removal of a dangerous or defective sign. Signs removed in this manner must present an imminent hazard to the public safety.

12- 5- 2. VIOLATIONS OF SIGN CODE.

Any person who hangs, posts, or installs a sign that requires a permit under this Code and who fails to obtain a permit before installing the Sign, shall be guilty of a Class

~~€ misdemeanor and be fined accordingly.~~

CHAPTER 6 - NON-CONFORMING SIGNS

12- 6- 1. CONFORMANCE CRITERIA FOR NON-CONFORMING SIGNS.

All signs, except billboards (see below), shall conform or be removed as follows upon the happening of any of the events described below or where any of the following conditions apply:

- (A) When a non-conforming sign is destroyed or damaged to an extent in excess of fifty percent (50%) of the sign value.
- (B) The sign is relocated in any manner.
- (C) If the sign is altered structurally, or if more than fifty percent (50%) of the copy as measured by the sign area is altered, except for changeable copy signs and maintenance.

12- 6- 2. ALTERATION OF NON-CONFORMING SIGNS.

Non-conforming signs may be maintained and repaired in accordance with Section 12-6-3. of this Title, provided that the alterations and repairs are for the purpose of maintaining the sign in its original condition. Alterations to a non-conforming sign that change the size, use, content, color, lighting, or appearance of a non-conforming sign are considered structural alterations and shall be brought into full compliance with the standards of this Code.

12- 6- 3. REPAIR OF DAMAGED NON-CONFORMING SIGNS.

No sign that is not in conformance with this Code shall be repaired or restored after having been damaged to the extent of more than fifty percent (50%) of its value

immediately prior to the event causing the damage or destruction. The owner of the sign or owner of the property shall have the obligation to properly remove the sign.

12- 6- 4. NON-CONFORMING BILLBOARDS.

A non-conforming billboard may be terminated by acquiring the billboard and associated property rights through gift, purchase, agreement, exchange, or eminent domain.

A legislative body may also remove a billboard without providing compensation if, after providing the owner with reasonable notice or proceedings and an opportunity for a hearing, the legislative body finds that:

- (A) The applicant for a permit intentionally made a false or misleading statement in his application;
- (B) The billboard is unsafe;
- (C) The billboard is in unreasonable state of repair; or
- (D) The billboard has been abandoned for at least twelve (12) months.

12- 6- 5. REMOVAL OF SIGNS BY THE BUILDING OFFICIAL AND COST ASSESSED AGAINST OWNERS.

The Building Official may cause the removal of an illegal sign in cases of emergency, or for failure to comply with the written orders of removal or repair under the procedures and authority of the Municipal Code of Park City Section 6- 1- 5, as amended.

CHAPTER 7 - PROHIBITED SIGNS

~~12- 7- 1. OFF-PREMISE SIGNS.~~

A permanent outdoor sign which advertises goods, products, or services not sold on the premises on which the sign is located, is prohibited.

12-7-2. PROHIBITED SIGNS.

No person shall erect, alter, maintain, or relocate any sign as specified in this Chapter in any zone:

(A) **ANIMATED SIGNS.** A rotating or revolving sign, or signs where all or a portion of the sign moves in some manner.

(B) **BANNERS.** Except as approved in conjunction with a Master Festival License issued pursuant to Title 4 of this Code or approved as a banner on a City Light Standard pursuant to Title 12-11 of this code.

(C)(B) **BENCH SIGNS.** Any outdoor bench or furniture with any signs.

(D) **FLASHING SIGNS OR LIGHTS.** Any sign that contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Flashing light sources are prohibited.

(E) **HOME OCCUPATION SIGNS.** Business identification sign for a home occupation.

(F) **INFLATABLE SIGNS OR DISPLAYS.** Any inflatable object used for signs or promotional purposes.

~~(G) **MOBILE OR PORTABLE SIGNS.** A sign not permanently attached to the ground or building, except for public necessity signs and temporary signs as allowed by this Code.~~

(G) **OFF-PREMISE SIGNS.** No person shall erect sign identifying a business, commodity, service or industry which is not conducted upon the premises on which the sign is placed.

(H) **PORTABLE SIGNS.** Any sign that can be moved from place to place, is not permanently affixed to the ground or building, and is for the purpose of display only, is prohibited. Temporary open house signs for real estate are permitted but must comply with the regulations as stated in Section 12-10-2(D). Government public safety, municipal directional and informational signs are exempt.

(I) **ROOF SIGNS.** Any signs erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof. Signs mounted anywhere on a mansard roof are not allowed.

(J) **SIGNS IN PUBLIC PLACES** No person shall paint, mark or write on, staple, tape, paste, post or otherwise affix, any handbill, sticker, poster or sign to any public building, structure, or other property, including but not limited to, works of art, sidewalk, crosswalk, curb, curbstone, parking meter, park-strip, street lamp post, hydrant, tree, shrub, tree stake or guard, electric light or power or telephone wire or pole, or wire appurtenance thereof or upon any lighting system, public bridge, drinking fountain, life saving equipment, street sign, street furniture, trash can or, traffic sign.

Violators of this Title shall be held liable and subjected to the penalties as stated in Section Chapter 15 of this Title.

(K)(J) **WIND SIGNS.** Any propeller, whirling, or similar device, that is designed to flutter, rotate, or display other movement under the influence of the wind.

This shall include "gasoline flags", or banners.

(L)(K) **VIDEO SIGNS.** Animated visual messages that are projected on a screen.

CHAPTER 8 - NON-REGULATED SIGNS

12-8-1. SIGNS EXEMPT FROM PERMIT REQUIREMENT.

The following signs are exempt from the permit requirement as provided in Chapter 3 herein. not subject to a permit requirement. They shall be regulated by the following size and placement standards and, except as otherwise provided herein, shall not be included when calculating permitted sign area for any parcel, use or development. Building permits may be required for the installation of these signs even though they are exempt from design review and regulation.

(A) **ADDRESSING NUMBERS.** Addressing numbers may be no higher than twelve inches (12"). When placed on commercial buildings, they may be taken into account in the review of the sign plan, and counted as sign area if part of the overall sign area for the building.

(B) **CAMPAIGN SIGNS.** Campaign signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(B).

(C) **HISTORIC SIGNS AND PLAQUES.** Locations and size may be reviewed by the Historic District Commission.

(D) **HOURS OF OPERATION SIGNS.** One (1) "hours of operation" sign is allowed per entryway entrance. Each sign may not exceed one square foot (1 sq. ft.) in area.

The sign may not be illuminated.

~~(E) — **INTERIOR SIGNS.** Non-illuminated signs that are on the interior of buildings set back at least three feet (3') at least two square feet (2 sq. ft.) in area from any window are not regulated at all. Illuminated interior signs setback at least ten feet (10') are not regulated for design but a building permit is required for electrical and installation details. All signs placed within the regulated area will be included within the total sign area calculation per building facade. Please refer to Section 12-9-2(O) for Window Sign requirements, and Section 12-9-2(F) for luminous tube sign requirements.~~

~~(F)(E) **NAMEPLATES (RESIDENTIAL).** One nameplate sign for each single family residence, that shall not exceed one square foot (1 sq. ft.) in area. If lighted, a building permit is required.~~

(F) **PRIVATE PLAZAS.** Private pedestrian walkways may have signs on privately owned walls or plazas that are so located as to be oriented to the plaza and not to public streets are not regulated, however building permits shall be required for mounting and wiring. Private plazas as part of a Master Planned Development must have an approved Master Sign Plan. Private plazas approved prior to March 19, 1998, do not need to come into conformance with the Sign Code and Master Sign Plan requirements.

(G) **PUBLIC NECESSITY SIGNS.** Public necessity signs such as bus stop, no parking and street name signs installed by or with permission of Park City Municipal Corporation are exempt from permit requirements. Approval of the Public Works Director is required in order to insure safe placement and prevent unsightly or distracting sign placement

(H) RECREATIONAL FACILITIES.

Signs located inside open air recreational facilities that are not oriented to public streets, e.g. directional signs in ski resorts, skate board parks and golf courses are not regulated.

(I)(J) REAL ESTATE SIGNS. Real estate signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(D).

(J)(K) SOLICITATION SIGNS. One (1) “no solicitors” sign, not to exceed one square foot, is allowed per major entrance to any building or apartment complex.

(K)(L) SPECIAL EVENTS POSTERS. Posters advertising special events may be displayed on the inside of windows of businesses, provided all window signs do not exceed 30% of window area and the owner of the business approves of the placement. Such posters must be removed within 48 hours after the event. Posters, may not be tacked up to the exterior of any building nor upon any sidewalk, crosswalk, curb, curbstone, street light post, hydrant, tree, shrub, parking meter, garbage can or dumpster, automobile, electric light, power or telephone wire pole, or wire appurtenance thereof, fare alarm or hydrant, street furniture, park benches or landscaping, any lighting system, public bridge, drinking fountain, statue, life saving equipment, street sign or traffic sign, or on to door steps.

(L)(M) SPECIAL SALE SIGNS. Merchants may advertise special sales with temporary paper signs on the inside of windows provided that all window signs do not cover more than thirty percent (30%) of the window area. Special sale signs may be displayed two weeks at a time, five times a year.

(M)(N) TRESPASSING SIGNS.

“No trespassing” signs may be posted on doors, windows or other property entrances, or on fence or property lines. They may not exceed one square foot (1 sq. ft.) in area, and may not be illuminated.

(N)(O) VACANCY SIGNS.

Vacancy signs are allowed only for those buildings that are permitted and licensed for nightly rentals ~~within the HR-1, HR-2, HCB, HRC, GC and RC zones.~~ Vacancy signs may be a maximum of two square feet (2 sq. ft.). If illuminated, approval from the Community Development Department and a building permit are required. Luminous tube signs are prohibited.

(O)(P) VEHICLE SIGNS. Vehicle Signs painted, vinyled or magnetically attached to the sides of vehicles or the vehicle’s window are allowed, as long as the vehicle is in use or parked in a bonafide parking space. Roof or antenna mounted signs on automobiles are prohibited, except for student driver signs.

(P)(Q) YARD SIGNS. Yard signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(G).

CHAPTER 9 - PERMITTED SIGN REGULATIONS

~~**12-9-1. ON-PREMISE SIGNS.**~~

~~On-premise signs as used in this Title shall mean the primary purpose is to advertise, identify and/or direct attention to a profession, business service, activity, product, campaign, or attraction that is carried out, sold, offered or manufactured in or upon the premise.~~

12-9-1. TYPES OF SIGNS ALLOWED.

In addition to the following regulations, all signs must be in compliance with all other provisions of this Title.

For the purposes of this Title, signs for commercial uses within an approved Master Planned Development (MPD), shall be permitted under sign criteria set forth in the Recreation Commercial (RC) Zoning District.

(A) **AWNING AND CANOPY SIGNS.**

(1) **SIZE.** A maximum of twenty percent (20%) of the canvas area on ~~each any one~~ face of an awning may be used for sign area regardless of the size of the building facade to which the sign applies (not to exceed that which would be allowed otherwise).

(2) **HEIGHT LIMIT.** Awnings must have a minimum clearance of eight feet (8') to the frame and seven feet (7') to the bottom of the valance.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** Awnings must be located in a traditional manner above doors, windows, or walkways, provided said walkways lead to a bona fide entrance, if they are compatible with the architecture of the building, and follow relevant design guideline criteria. All other locations are prohibited. Free-standing awning signs are prohibited.

Awnings may project a maximum of thirty-six inches (36") from the face of the building except when used as entrance canopies, in which case awnings may extend to the setback lines. Awnings are calculated as part of the total sign area for the building. The design must blend with the architecture

of the building and should not obscure details of the building. Awnings should serve as an accent to the building's design but should not be the dominant architectural feature. Awnings are counted as sign area if they have lettering or other graphics conveying a commercial message or name of a business or product sold in the building to which the awning is attached.

(5) **ZONING RESTRICTIONS.** Awning signs are permitted in all commercial zoning districts.

~~(6) **CONTENT.** Sign content shall be limited to the tenant name or the nature of the goods or services provided.~~

(7) **DESIGN.** Awnings in the Historic District are encouraged to resemble the typical awning found during the mining area. Only fire resistant canvas will be permitted. Material should be high quality, colorfast and sunfade resistant. Vinyl or plastic materials are not permitted in Park City. Awning colors are generally limited to a single field color with a single contrasting color for lettering and logos. However, if the awning is striped in a traditional manner, either with vertical stripes along the entire awning or horizontal stripes along the valance, two field colors may be used. Corporate colors may be used only if they are finished in subdued earthtone colors.

(8) **ILLUMINATION.** Illuminated (back-lit) translucent awnings or translucent letters on opaque backgrounds are prohibited. Canvas awnings illuminated in the traditional manner with high pressure sodium or fluorescent lighting are permitted.

(B) **CHANGEABLE COPY SIGNS.** ~~Manual~~ changeable copy signs are permitted, provided they comply with the following regulations. ~~Electronic changeable copy signs are prohibited.~~

(1) **SIZE.** All other size requirements set forth in this Code must be adhered to:
Changeable Copy signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area, unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.).

(2) **HEIGHT LIMIT.** Sign plans Changeable Copy Signs shall be designed so that the sign area is confined to the building surface below the finished floor elevation of the second floor or twenty feet (20') above adjacent natural grade, whichever is lower.

(3) **NUMBER OF SIGNS.** The maximum number of changeable copy signs for a commercial or non-profit business is one (1).

(4) **SETBACK AND ORIENTATION.** ~~Changeable copy signs shall be placed so as to utilize existing architectural features of a building without obscuring them. The sign shall be orientated toward pedestrians or vehicles within close proximity.~~

Changeable Copy signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial (GC) Zone, free standing Changeable Copy signs must be set back ten feet (10') from the property line.

Changeable Copy signs may be aligned either perpendicular or parallel to the road provided that signs perpendicular to the road are finished on both sides, and that signs parallel to the road maintain a setback of at least twenty-five feet (25') from the curb or edge of pavement. With the exception of those in the Frontage Protection Zone, the

Community Development Director may decrease this setback if it is determined that a particular road alignment or traffic conditions would facilitate adequate visibility of the sign for street or pedestrian traffic.

(5) **ZONING RESTRICTIONS.** Changeable copy signs are allowed in all commercial zoning districts.

~~(6) **CONTENT.** Changeable copy signs may only be used in conjunction with gas station pricing, theaters, entertainment, educational facilities, non-profit art galleries, or similar exhibit facilities.~~

(7) **DESIGN.** The sign materials should be compatible with the face of the building and should be colorfast and resistant to erosion. The individual letters shall be uniform in size and color. Letters shall be enclosed within a case with a transparent face. The individual letter shall not exceed eight inches (8") in height.

(8) **ILLUMINATION.** Illumination of changeable copy signs shall be enclosed in the case, down directed toward the letters.

(C) **DIRECTORY SIGNS.** Directory signs shall be permitted to provide information for commercial and residential multi-tenant projects.

(1) **SIZE.** Wall mounted directory signs shall adhere to all other size requirements as set forth in this Code. Free-standing directory signs may have a maximum of twenty square feet (20 sq. ft.) of sign area to serve as a directory for the project. Each phase of an expandable condominium or other phased project shall be considered a part of the initial phase for

sign purposes if the project is joined by a common conditional use permit, zoning approval or management structure such as a condominium homeowners' association.

(2) **HEIGHT LIMIT.** The height of the directory sign shall not exceed seven feet (7'), and shall be directed towards pedestrians.

(3) **NUMBER OF SIGNS.** The combined area of all directory signs on a project may not exceed twenty square feet (20 sq. ft.) in area.

(4) **SETBACK AND ORIENTATION.** Signs shall be located in the common area of the project and oriented toward a central pedestrian path, entrance or common parking area. Free-standing directory signs must maintain the setback requirements for the zone in which they are located.

(5) **ZONING RESTRICTIONS.** Directory signs are allowed in all zoning districts, provided they are identifying multi-tenant projects, either commercial or residential.

~~(6) **CONTENT.** The contents of commercial directory signs shall be limited to the name of the multi-tenant structure, its street address, and the names and unit numbers of the tenants of the project. Directory signs in a residential complex shall identify the building and unit numbers. Directory signs may not be oriented for off-site viewing. No telephone numbers, rental information, or sales information shall be permitted on the directory sign.~~

~~(7) **DESIGN.** Directory signs shall be simple in form and shall be compatible with the architectural elements and materials of the multi-tenant project.~~

~~(87) **ILLUMINATION.** Lighting of the directory sign is permitted. Lighting shall be down directed towards the text.~~

(D) **DISPLAY BOXES.** Display boxes will be included in the total sign area for a building facade. Display boxes may contain an establishment's current menu, current entertainment information and merchandise and must be compatible with the architectural features of the building.

(1) **SIZE.** The maximum size shall be six square feet (6 sq. ft.) and shall be included in the calculation of the total building sign area.

(2) **HEIGHT LIMIT.** The height of a display box shall be oriented towards pedestrian viewers.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** Display boxes shall be oriented towards pedestrian viewers. Wall mounted display boxes shall not extend from the building over public property.

(5) **ZONING RESTRICTIONS.** Display boxes are allowed in all commercial zoning districts.

~~(6) **CONTENT.** This display box may be used for changeable copy signs provided the sign remains inside the mounted display box. The display box shall also contain merchandise which is typical and representative of products for sale in the business premises and shall not be used to display wares of another business located elsewhere or merchandise not available in the store to which the display case applies.~~

~~(7) **DESIGN.** The size and scale shall be appropriate to the surroundings and~~

shall be designed and fabricated so as to be compatible with the surrounding architecture. Free-standing display boxes shall be designed and constructed to withstand wind and may be located only on private property. Display boxes must be constructed to coordinate with the building design, must contain a clear face which would protect the menu/event display from the weather and must not extend over public property.

(87) **ILLUMINATION.** Lighting of the display box is permitted within the display case. Lighting shall be down directed towards the items displayed.

(E) ELECTRONIC DISPLAY TERMINALS. Electronic display terminals are prohibited unless within a completely enclosed building and setback at least three feet from any window. Exterior Electronic Display Terminals are a Conditional Use in the zone which underlies the property in the Park City Land Management Code subject to the following criteria:

(1) **SIZE.** Electronic Display Terminals shall be limited to a maximum of two square feet (2 sq. ft.) in area if intended to be viewed through a window and placed within three feet of a window, or placed on the exterior of a building.

(2) **HEIGHT LIMIT.** No Electronic Display Terminal may exceed a height of four feet (4') measured from finished grade.

(3) **NUMBER OF TERMINALS.** No more than one (1) Electronic Display Terminal may be permitted within the premises of a business.

(4) **SETBACK AND ORIENTATION.** Electronic Display Terminals shall not be allowed within the

public right-of-way. They must be accessed by pedestrians only and obscured from vehicles. If located near an entrance or exit of a building, terminals must meet all ingress and egress requirements established by the Uniform Building Code. Terminals may be aligned perpendicular or horizontal to the road and must be finished on all visible sides.

(5) **LOCATION.** Electronic Display Terminals are allowed only in the HCB, HRC, GC, LI, RC, RCO and RD-MPD zones.

(6) **DESIGN.** Electronic Display Terminals must compliment the architecture of the structure to which it is associated. If the terminal is within the Historic District it must meet the Park City Historic District Guidelines, and may be subject to review by the Historic District Commission.

(7) **ILLUMINATION.** Lighting of Electronic Display Terminals is prohibited

~~(F) **ELECTRONIC MESSAGE SIGNS.** A window, wall or other sign that changes messages through a marquee, reader board, electronic message center or other replaceable copy area. Automatic changing signs, such as announcements, time, temperature and date signs are prohibited. Governmental public safety, municipal directional and information signs are permitted as provided herein.~~

~~(1) **SIZE.** Electronic Message Signs shall be limited to a maximum of thirty six square feet (36 sq. ft.) in total sign area.~~

~~(2) **HEIGHT LIMIT.** No Electronic Message Sign may exceed a height of seven feet (7') measured from finished grade.~~

~~(3) **NUMBER OF SIGNS.** No more than three Electronic Message Signs may be permitted within the boundaries of Park City.~~

~~(4) **SETBACK AND ORIENTATION.** Electronic Message Signs must be setback at least ten feet (10') from the highway curb within the Frontage Protection Zone. Signs must be aligned perpendicular to the road and be finished on both sides.~~

~~(5) **LOCATION.** Electronic Message Signs are allowed only near the city limits on highway 224, and 248, and near the round about at the intersection of Deer Valley Drive, Heber Avenue and Marsac Avenue.~~

~~(6) **DESIGN.** Electronic Message Signs with a solid or enclosed base are permitted. The sign permitted in the Historic District must comply with the Historic District Guidelines, and is may be subject to review by the Historic District Commission. Signs supported by at least two (2) poles without enclosed bases are also permitted provided that the exposed pole's height does not constitute more than fifty percent (50%) of the sign's overall height (i.e., the height of the open area beneath a sign cannot exceed fifty percent (50%) of the sign's total height).~~

~~(7) **ILLUMINATION.** Internal lighting within the case of Electronic Changeable Copy Signs is permitted, provided that the lighting complies with Section 12-4-10 of the Park City Land Management Code. Flashing and multicolored lights are prohibited. Any exterior lighting proposed for the signs shall be included in the sign application.~~

(EG) **ENTRANCE/EXIT SIGNS.**
Entrance and exit signs are not included into

the total sign area allowed for a structure. Entrance and exit signs are for the facilitation of traffic onto and off a site.

(1) **SIZE.** Entrance/exit signs shall be limited to a maximum of three square feet (3 sq. ft.) per side.

(2) **HEIGHT LIMIT.**
Entrance/exit signs shall be no higher than five feet (5') above the ground at the top of the sign.

(3) **NUMBER OF SIGNS.** Two (2) entrance/exit signs are allowed at each approved driveway opening for commercial uses and multi-tenant dwellings.

(4) **SETBACK AND ORIENTATION.** Entrance/exit signs shall not be placed in the City right-of-way.

(5) **ZONING RESTRICTIONS.** Entrance/exit signs are permitted in all commercial and multi-family residential zoning districts.

(6) **CONTENT.** The content shall be limited to "Entrance" or "Exit".

~~(7) **DESIGN.** Entrance/exit signs shall be simple in form and shall be compatible with the architectural elements of the commercial or multi-family project.~~

(8) **ILLUMINATION.**
Illumination of entrance/exit signs is permitted, provided that the lighting complies with Section 9.1.

(F) **FLAGS.** The regulations stated below regarding flags shall apply to all zones in the City except for Single Family zones. Flags and flag poles are prohibited when they are the only man made structure on the premise where it is placed.

(1) Size. The maximum size of any one flag shall be 24 square feet if visible from a public right-of-way. ~~Flags used in conjunction with telecommunication facilities may request a larger flag size due to the increase allowable height of the flag poles used. The increase flag size requires approval by the Community Development Director.~~

(2) **HEIGHT LIMIT**. Flag poles may not exceed the maximum height of the nearest building or 25 feet measured from natural or final grade, whichever yields the shorter pole. ~~Flag poles, in association with a telecommunication facility may not exceed the height as specified for the zone in which it is located.~~

(3) **NUMBER OF FLAGS**. No more than three (3) free-standing flag poles per property may be shown at any time if these flags are visible from a public right-of-way. Properties with right-of-way frontage greater than one hundred yards (100 yds.) may be allowed an additional three flags per additional one hundred yards (100 yds.) of street frontage. Flag poles are restricted to only flying one (1) flag per pole.

No more than eight (8) building mounted flags per property may be shown at any time if these flags are visible from a public right-of-way.

(4) **SETBACK AND ORIENTATION**. Free-standing flag poles shall not be placed in the setback area as designed for the zone in which the flags are located.

(5) **ZONING RESTRICTIONS**. Flags are allowed in all zoning districts.

(6) **TYPES OF FLAGS**. All flags which contain the name or logo of an

establishment or advertising copy shall be considered signs for purposes of this Chapter. The Flag of the United States, the state of Utah, other flags or insignias of governmental entities, or decorative flags are not considered signs for purposes calculating total sign area ~~of maximum allowable square footage calculation~~, but are subject to the restrictions of this section.

(7) **DESIGN**. It is recommended that the flagpoles be black, brown, dark green or bronze. The flag poles shall utilize noise reduction methods. Flags shall be kept in good repair. Design of the U.S. flag should be consistent with the Federal Flag Code, 36 U.S.C. Section 173-8 as amended.

(8) **ILLUMINATION**. Flags may be illuminated provided that the lighting complies with Section 12-4-10. Lighting proposed for the flags shall be included in the sign application.

(G) **FREE-STANDING SIGN**.

(1) **SIZE**. Free-standing signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area, unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.).

(2) **HEIGHT LIMIT**. Free-standing signs may not exceed a height of seven feet (7') measured from existing grade.

(3) **NUMBER OF SIGNS**. Businesses, projects or parcels are limited to one (1) free-standing sign. If the property has more than one entrance and frontage on more than one street one additional sign may be permitted for directional purposes only. The combined square footage of all free-standing signs shall not exceed the maximum square footage allowed.

(4) **SETBACK AND ORIENTATION.** Free-standing signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial (GC) Zone, signs must be set back ten feet (10') from the property line.

Free-standing signs may be aligned either perpendicular or parallel to the road provided that signs perpendicular to the road are finished on both sides, and that signs parallel to the road maintain a setback of at least twenty-five feet (25') from the curb or edge of pavement. With the exception of those in the Frontage Protection Zone, the Community Development Director may decrease this setback if it is determined that a particular road alignment or traffic conditions would facilitate adequate visibility of the sign for street or pedestrian traffic.

(5) **ZONING RESTRICTIONS.** Free-standing signs may be allowed in the commercial zones GC, RM, RDM, RC, and RD. Free-standing signs located in the Frontage Protection Zone or the HBC Zone require a Conditional Use Permit.

(6) **CONTENT.** Free-standing signs are permitted for the purpose of identifying the name of a building, project or primary business.

(7) **DESIGN.** Free-standing signs with a solid or enclosed base are permitted. Signs must be compatible with the architecture of the building to which they are associated. Signs supported by at least two (2) poles without enclosed bases are also permitted provided that the exposed pole's height does not constitute more than fifty percent (50%) of the sign's overall height (i.e., the height of the open area beneath a sign cannot exceed fifty percent

(50%) of the sign's total height).

(8) **ILLUMINATION.** Lighting of free-standing signs is permitted, provided that the lighting complies with Section 12-4-10. However, internally illuminated pan-channel letters are not permitted on free-standing signs. Any exterior lighting proposed for the signs shall be included in the sign application.

~~(11) — **FREESTANDING WELCOME SIGN.** An exception to this regulation will be allowed for one (1) Freestanding sign to be located in the Frontage Protection Zone on the entry corridor along Highway 224. The applicant for this sign must be Park City Municipal, and it shall be reviewed as a conditional use by the Planning Commission according to the following criteria:~~

~~1. — **SIZE.** The Welcome Sign shall be limited to a maximum of seventy five square feet (75 sq. ft.) in area with a maximum height of twelve feet (12') and a maximum width of eighteen feet (18').~~

~~2. — **NUMBER OF SIGNS.** No more than one (1) welcome sign is permitted.~~

~~3. — **SETBACK AND ORIENTATION.** If the Welcome sign is proposed to be placed within the Frontage Protection Zone, it must receive a Conditional Use Permit for construction within the Frontage Protection Zone and must maintain a thirty foot (30') setback from the UDOT right-of-way. The Welcome Sign must be aligned toward the right-of-way so as to be viewed by individuals in passing automobiles and must be finished on both sides (only one side is required to have text).~~

~~4. — **LOCATION.** The Welcome Sign is allowed only along the Highway 224 entry corridor.~~

~~5. **DESIGN.** The Welcome Sign must comply with the applicable Park City Sign Code guidelines established in Title 12-4.~~

~~6. **LANDSCAPING.** A landscaping plan may be required as part of the Conditional Use approval. The nature of the plan will be determined by the Planning Commission based upon the location of the sign.~~

~~7. **ILLUMINATION.** Lighting of the Welcome Sign is appropriate provided the lighting meets the standards and criteria established in the Park City Night Sky Ordinance.~~

(1)(H) HANGING AND PROJECTING SIGNS.

(1) **SIZE.** No single hanging or projecting sign may exceed twelve square feet (12 sq. ft.) in area. A hanging sign may be placed on a building or underneath an approved canopy, awning, or colonnade, as long as it does not project more than thirty-six inches (36") from the face of the building to which it is attached. Sign brackets incorporating design elements that are descriptive or informative of the business use shall be included as part of the sign area.

(2) **HEIGHT LIMIT.** Hanging and projecting signs must have at least eight feet (8') of ground clearance unless reduced according to the projection and clearance provisions of Section 12-4-6.

(3) **NUMBER OF SIGNS.** There is no number of maximum hanging or projecting signs per building face. The total square footage of sign area shall not exceed the maximum square footage allowed per building face.

(4) **SETBACK AND ORIENTATION.** Hanging and projecting signs may not project more than thirty-six

inches (36") from the face of the building to which it is attached. They may not extend beyond the applicant's property, except those which are proposed to be placed over the Main Street sidewalks. Signs may extend over City property only after review by the City Engineer and with the written approval of the Community Development Director and an encroachment agreement acceptable to the City Attorney. Hanging and projecting signs must have a minimum of six feet (6') of separation between each sign similar in nature.

(5) **ZONING RESTRICTIONS.** Hanging and projecting signs are permitted within all commercial zoning districts.

~~(6) **CONTENT.** Sign content shall be limited to the tenant name and the nature of the goods or services provided.~~

~~(7) **DESIGN.** Exposed surfaces of signs may be constructed of metal and/or solid wood. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.~~

~~(8) **ILLUMINATION.** Lighting of hanging/projecting signs is permitted, provided that the lighting complies with Section 12-4-10. Any exterior lighting proposed for the signs shall be included in the sign application.~~

~~(J)(+) **LUMINOUS TUBE SIGNS (NEON).** Luminous tubes (LT) used to draw attention to a business or building in any manner, including (but not limited to) neon text, or logos are considered signs and shall be regulated according to the provisions of this Code as follows:~~

~~(1) **SIZE.** All LT signs are limited to 6 square feet or less. other size~~

requirements set forth in this Code must be adhered to:

(2) **HEIGHT LIMIT.** LT signs shall be limited to the ground floor elevation.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** LT signs must be located within a building and displayed through a window rather than being attached to the exterior of the building. If LT signs which are located within ten feet (10') of the front window, visible from the street and exceeds two square feet (2 sq. ft.) in area, it is considered as sign area and must have a permit and will be included in the total sign area for the building. LT signs located ten feet (10') back from the window are considered interior lighting and are not regulated.

(5) **ZONING RESTRICTIONS.** LT signs may be used only in the HCB, HRC, and GC zones. LT signs are prohibited in all other zones.

(6) **CONTENT.** ~~LT signs may include letters, graphics and symbols displaying the name of the on-premise business.~~

~~The following are prohibited in LT signs: open/closed signs, vacancy/no vacancy signs, product brand names, message/sale promotions. LT signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited. In certain cases, open/closed directional signs for drive-throughs, may be permitted to facilitate traffic circulation and control traffic congestion.~~

(7) **DESIGN.** The following

historic colors are permitted in the Historic District in primary shades only: red, yellow, white, blue, green. All others are prohibited. Other colors are permitted in the GC zones, but are subject to the design standards of this title. LT signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited. In certain cases, open/closed or directional signs for a drive-through, may be permitted to facilitate traffic circulation and control traffic congestion.

(87) **ILLUMINATION.** LT signs within themselves are illuminated. No other additional illumination is permitted.

~~(K)(J)~~ **MENU SIGNS.**

(1) **SIZE.** The maximum size shall be two square feet and shall be included in the calculation of the total building sign area unless enclosed within a display box which is included in the calculation of the building sign area.

(2) **HEIGHT LIMIT.** Height of a menu sign shall be oriented towards pedestrian viewers with a maximum height of six feet (6').

(3) **NUMBER OF SIGNS.** One (1) menu display sign is permitted per restaurant, per building.

(4) **SETBACK AND ORIENTATION.** Displays for menus may be located on the inside of a window for a restaurant or inside a wall mounted or free-standing display box.

(5) **ZONING RESTRICTIONS.** Menu signs are allowed in all commercial zoning districts.

(6) **CONTENT.** ~~This display may be used for changeable copy signs~~

provided the sign remains inside the mounted menu box or inside the window frame.

~~(7)~~ **DESIGN.** All wall mounted or free-standing menu boxes located in the Historic District shall be reviewed within the context of the Historic District Design Guidelines. Menu Boxes in other zones will be reviewed within the context of the building architecture.

~~(8)~~ **ILLUMINATION.** Lighting of the menu or event display is permitted within the display. Lighting shall be down directed towards the text.

~~(L)(K)~~ **PROJECTING SIGNS.** See Hanging Signs.

~~(M)(L)~~ **SUBDIVISION SIGNS.**

(1) **SIZE.** Subdivision signs are limited to a maximum of twenty square feet (20 sq.ft.) ~~ten square feet (10 sq. ft.)~~ per sign.

(2) **HEIGHT LIMIT.** Subdivision signs may not exceed a height of seven feet (7').

(3) **NUMBER OF SIGNS.** Subdivisions are limited to one (1) subdivision sign.

(4) **SETBACK AND ORIENTATION.** Subdivision signs shall not be placed in the setback area as defined for the zone in which the sign is located.

Subdivision signs may be aligned either perpendicular or parallel to the road provided that the signs perpendicular to the road are finished on both sides and that signs parallel in the road maintain a setback of at least twenty-five feet (25') from the curb or edge of pavement.

(5) ZONING

RESTRICTIONS. Subdivision signs are permitted in all other zones except in the HR-1, HR-2, HRL, HRC, and RD zones. Subdivision signs are only permitted as part of subdivisions of fifty (50) lots or more or master planned developments.

~~(6)~~ **CONTENT.** ~~The sign shall contain only the name of the subdivision.~~

~~(7)~~ **DESIGN.** Subdivision signs shall be designed with natural materials, including rock and stone.

~~(8)~~ **ILLUMINATION.** Illumination of subdivision signs is prohibited.

~~(N)(M)~~ **UMBRELLA SIGNS.** Umbrellas shall meet the following requirements:

(1) **SIZE.** Signs on umbrellas are limited to a height of no more than five inch (5") letters and graphics. Only the area of the umbrella containing the signs, as opposed to the entire area of the umbrella, shall be considered, for purposes of calculating total sign area. ~~calculation, the maximum allowable square footage.~~

(2) **HEIGHT LIMIT.** Not applicable.

(3) **NUMBER OF SIGNS.** Not applicable.

(4) **SETBACK AND ORIENTATION.** ~~Umbrellas shall be located on private property.~~ Not applicable.

(5) **ZONING RESTRICTIONS.** Umbrella signs are permitted in all commercial zoning districts.

(6) **CONTENT.** ~~Umbrellas may~~

only contain lettering or other graphics displaying the name and/or logo of the on-premise business.

——(7) **DESIGN.** Materials should be high quality vinyl, nylon, canvas or other similar material in order to withstand the weather and climate changes. Umbrella colors are generally limited to a single field color with a single contrasting color for lettering and logos. However, if the umbrella is striped, two colors may be used. Corporate colors may be used, only if they are finished in subdued earthtone colors.

(87) **ILLUMINATION.**
Illumination of umbrella signs is prohibited.

(O)(N) **WALL SIGNS.** Wall signs may be placed upon a building provided that they meet the following conditions of approval.

(1) **SIZE.** The size of the wall signs shall not exceed the maximum square footage allowed per building facade.

(2) **HEIGHT LIMIT.** Sign plans shall be designed so that the signs are confined to the building surface below the finished floor elevation of the second floor or twenty feet (20') above adjacent finished grade whichever is lower.

(3) **NUMBER OF SIGNS.**
There is no maximum number of wall signs specified per building face. ~~However, in a multi-tenant building the primary focus of sign area shall be for building identification.~~ The total square footage of sign area shall not exceed the maximum square footage of sign area allowed per building face.

(4) **SETBACK AND ORIENTATION.** Wall signs shall be placed so as to utilize existing architectural features of a building without obscuring

them. Wall sign shall be oriented toward pedestrians or vehicles within close proximity.

(5) **ZONING RESTRICTIONS.** Wall signs are permitted in all zones.

(6) **CONTENT.** ~~Wall signs may identify the name of a building, project or primary business. Wall signs may also identify the nature of the goods or services offered and/or the street address.~~

——(7) **DESIGN.** The sign materials should be compatible with the face of the building and should be colorfast and resistant to erosion.

(87) **ILLUMINATION.** Lighting of wall signs is permitted, provided that the lighting complies with Section 12-4-10. Any exterior lighting proposed for the signs shall be included in the sign application.

(P) **WAY-FINDING SIGNS.**
Way-Finding signs are conditional uses and must meet the following criteria.

(1) **SIZE:** Way-Finding signs shall be limited to a maximum of ten (10) square feet.

(2) **HEIGHT LIMIT:** Way-Finding signs shall be no higher than five feet (5') above existing grade at the top of the sign.

(3) **NUMBER OF SIGNS:** One (1) Way-Finding sign is allowed for each 100,000 square feet of building space in the MPD.

(4) **SETBACK AND ORIENTATION:** Way-Finding signs shall be setback at least 10 feet from the platted property line, unless it is within the Frontage Protection Zone in which case it must meet the requirements of the Frontage Protection Zone.

(5) ZONING

RESTRICTIONS: Way-Finding signs are permitted only in the RC, ROS, and RD zones.

(6) DESIGN: Way-Finding signs shall be simple in form and compatible with the architectural details of the MPD project. Utilization of the project logo on the sign is permitted but shall not be the primary focus of the sign.

(7) ILLUMINATION: Illumination of Way-Finding signs is prohibited.

(Q) WINDOW SIGNS. Window signs are permitted provided they meet the following criteria:

(1) SIZE. Permanent window signs shall ~~be no more than one (1) square foot each and~~ occupy no more than thirty percent (30%) of the total transparent area of the window.

(2) HEIGHT LIMIT. Window signs are limited to the main floor level of the building. Window signs are permitted upon second story windows within the Historic District.

(3) NUMBER OF SIGNS. Not applicable.

(4) SETBACK AND ORIENTATION. Window signs may be placed in or upon any window below the elevation of the second floor level provided that the total square footage of sign area does not exceed thirty percent (30%) of the total transparent area of the window. Window signs include any signs within three feet (3') of the front window, visible from the street and exceeds two square feet (2 sq. ft.) in area.

(5) ZONING RESTRICTIONS. Window signs are

permitted in all zoning districts.

(6) ~~CONTENT.~~ ~~Window signs may identify the name of the tenant or the nature of the goods sold.~~

~~(7)~~ **DESIGN.** The window sign must be permanently attached to the window face by either using vinyls, etching or other similar attachment methods. The vinyl color should be compatible with the building face. Ivory or cream lettering is preferred.

(87) ILLUMINATION. Illumination of window signs is prohibited.

CHAPTER 10 - TEMPORARY SIGNS

12-10- 1. POLICY.

It is the policy of the City as outlined in this Section to restrict the use of temporary signs. Temporary signs are often poorly constructed, poorly maintained, and located in a manner that obscures traffic signs, views of intersections of public and private streets and driveways and tends to depreciate the scenic beauty and quality of life of the community by creating visual clutter. Temporary signs have a place in the community for specialized purposes, such as announcing properties for sale or lease, construction activities, temporary sales, or making political or ideological statements. Temporary signs are permitted for those and similar purposes subject to the regulations of this Chapter.

12-10- 2. TYPES OF TEMPORARY SIGNS.

Temporary signs are those signs which are installed on a property with the intent of displaying them continuously for more than twenty-four (24) hours, but that are not a

part of a permanent land use on the property, and are not intended to be displayed for more than one year. Real estate signs, construction signs, special purpose signs, yard signs, and campaign signs are permitted subject to the following regulations on placement and location.

(A) **BUSINESS NAME OF TENANT CHANGE SIGNS.** Due to a change in business name or tenant, a temporary sign is permitted as per the following regulations.

(1) **SIZE.** Business name or tenant change signs shall not exceed twenty-four square feet (24 sq. ft.) of area on the exposed sign face, and shall not exceed the sign area per building face when included within the sign area calculation for all permanent signs.

(2) **HEIGHT LIMIT.** All requirements as stated in this Chapter shall apply.

(3) **NUMBER OF SIGNS.** Only one temporary wall sign is permitted on any one parcel of property. Additional window sign area may also be use, but may not exceed the total sign area allowed per building face.

(4) **SETBACK AND ORIENTATION.** Temporary signs are permitted in any zone, provided that they comply with all size and setback requirements for the permanent signs of similar nature.

(5) **ZONING RESTRICTIONS.** Temporary business identification signs are allowed in all zoning districts.

(6) **CONTENT.** The content of temporary business identification signs shall

be limited to the text of the business name

~~————~~ (7) **DESIGN.** Temporary business identification signs shall be mounted on hardware of wood, painted metal or other similar material. Sign mounting shall comply with the Uniform Sign Code's standards for installation.

(7) **ILLUMINATION.** Illumination of temporary business signs is prohibited.

(B) **CAMPAIGN SIGNS.** Campaign signs do not require a sign permit, as issued by the Planning Department, but shall comply with the following regulations:

(1) **SIZE.** Campaign signs shall not exceed six (6 sq.ft.) ~~three square feet (2 sq.-ft.)~~ of area on the exposed sign face.

(2) **HEIGHT LIMIT.** No portion of the sign shall extend more than four feet (4') above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").

~~(3) ——— NUMBER OF SIGNS.~~ Only one temporary sign is permitted on any one parcel of property, except that for sixty (60) days preceding a general or special election, up to three (3) election-related temporary signs may be placed on any one parcel of property, all of which must comply

with the size, color, and placement standards of this Code.

(3) **SETBACK AND ORIENTATION.** Temporary signs are permitted in any zone, provided that they are located a minimum of twenty feet (20') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty foot (20') distance would be within a structure, the sign may be within three feet (3') of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(L) and 12-8-1(M). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.

(4) **ZONING RESTRICTIONS.** Campaign signs are allowed in all zoning districts.

(5) **CONTENT.** ~~The content of campaign signs shall be limited to the text associated with the election candidate or issue.~~

(7) **DESIGN.** Campaign signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4"x 4") in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(6) **ILLUMINATION.** Illumination of campaign signs is prohibited.

(C) **CONSTRUCTION SIGN.** For each project requiring a building permit in Park

City, a construction mitigation plan is required. Pursuant to this plan, The Chief Building Inspector may require a Construction Sign. These signs are permitted provided they meet the following criteria.

(1) **SIZE.** The Construction sign shall not exceed twelve (12) square feet in size

(2) **HEIGHT.** Construction Signs shall not exceed and six (6) feet in height.

(3) **LOCATION.** The sign shall be posted in a location on the premises where the it is readable from the street or driveway. In no case shall the Construction Sign be placed in the public right-of-way. However, the exact location of the sign shall be identified in the approved Construction Mitigation Plan.

(4) **INFORMATION.** Information on the construction sign shall include: The name, address and phone number of the contractor; the name, address, and phone number of the person responsible for the project; the name, and phone number of the party to call in an emergency. The lettering shall not exceed four (4) inches in height.

(5) **NUMBER OF SIGNS.** One (1) Construction Sign is permitted per project.

(6) **ZONING RESTRICTIONS** Construction signs are permitted in all zoning districts

(7) **DURATION.** Construction signs shall be removed from the premises upon issuance of a Certificate of occupancy for the project from the Building Department.

(D) PROJECT MARKETING SIGNS.

(1) SIZE. To allow for initial marketing of projects containing four (4) dwelling units or more, and/or four thousand (4,000) square feet or more of commercial floor area a construction marketing sign is allowed on the property during the construction phase of the building or project. The total sign area of the Project Marketing Sign shall not exceed twenty four (24) square feet in area.

(2) HEIGHT. Project Marketing Sign may not exceed seven (7) feet in vertical height from the ground at the point where the sign is located. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.

Project Marketing Signs must be located in a manner that does not obstruct the view, for normal passenger vehicles, of adjoining streets from the driveway of the site to the adjoining street.

(3) LOCATION. The Project Marketing sign on construction sites may not be closer than twenty (20) feet to the curb line, or edge of pavement if there is no curb, of the street on which the project fronts, which is the street providing access to the project. If that twenty (20) foot setback places the sign within the construction limits of disturbance, the sign may be placed closer to the street, but not more than ten (10) feet outside of the construction limits of the disturbance. In the HCB Zone, and the Prospector Commercial Subdivision, and other areas that have been approved or zoned with no setback or sideyard requirements, the sign may be located on the construction barricade or fence surrounding the site, even if that places the sign within the public right-of-way.

Where there are conditions such as heavy

vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the Community Development Director, may grant an exception to the sign setback standards, but not the size or street orientation standards. In no event may Project Marketing Signs be placed within the public right-of-way.

(4) INFORMATION. Information on the Project Marketing Sign may include a plat map and real estate information for the project. A Project Marketing sign may not include sale prices.

(5) NUMBER OF SIGNS. One (1) Project Marketing Sign is permitted per project.

(6) ZONING RESTRICTIONS. Project Marketing signs are permitted in all zoning districts.

(7) DURATION. Upon project final approval by Staff, Planning Commission, or City Council, the Project Marketing Sign may be installed for a time period of six (6) months. If a grading or building permit is not issued by the Building Department within six (6) months of the approval date, the Project Marketing Sign shall be removed. If a grading or building permit is issued by the Building Department within six (6) months of the approval date, the Project Marketing Sign is permitted until such time as the last temporary certificate of occupancy is issued for the project. If the sign was removed, it may be reinstalled upon the issuance of a grading permit and may remain until the last temporary certificate of occupancy is issued for the project.

If at any time during a phased project the sign is removed, it may be reinstalled as

long as there is an open building permit for the project and the last temporary certificate of occupancy has not yet been issued.

The Community Development Director or his/her designee may issue a six (6) month extension for the display of the Project Marketing Sign after the last temporary certificate of occupancy has been issued upon the applicant's payment of a forfeitable deposit for \$5000. Such deposit shall be forfeited to the City if the Project Marketing Sign remains six (6) months beyond the date of the last Temporary Certificate of Occupancy.

(E) CONSTRUCTION/PROJECT MARKETING SIGNS.

Because of the unique need to identify construction projects clearly for material suppliers, deliveries, and construction workers, and to allow for initial marketing, it may be appropriate to combine the information contained on a Construction sign and a Project Marketing sign to create a temporary Construction/Project Marketing Sign, provided it meets the following criteria:

(1) **SIZE.** Residential projects containing four (4) or more dwelling units, and/or commercial projects containing four thousand (4,000) square feet or more of commercial floor area, are allowed one Construction/Project Marketing Sign on the property in conjunction with a project under development or construction. The sign will be separated into two sections; one portion of the sign will be limited to the Construction Information and the other portion will be limited to the real estate information to allow for the initial marketing of projects during construction. The total sign area of the Construction/Project Marketing Sign shall not exceed thirty two (32) square feet in area, but shall be divided to allow sign area for construction and real estate information. The

sign area identifying real estate information may not exceed twenty (20) square feet in area. The construction information is limited to a total sign area of twelve (12) square feet.

(2) HEIGHT LIMIT.

Construction/Project Marketing Sign may not exceed seven (7) feet in vertical height from the ground at the point where the sign is located. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.

(3) NUMBER OF SIGNS.

One (1) Construction/Project Marketing Sign is permitted per project. In no case will a Construction/Project Marketing sign be allowed if a Project Marketing sign already exists on the premise.

(4) SETBACK AND ORIENTATION. The Construction/project Marketing sign on construction sites may not be closer than twenty (20) feet to the curb line, or edge of pavement if there is no curb, of the street on which the project fronts, which is the street providing access to the project. If that twenty (20) foot setback places the sign within the construction limits of disturbance, the sign may be placed closer to the street, but not more than ten (10) feet outside of the construction limits of the disturbance. In the HCB Zone, and the Prospector Commercial Subdivision, and other areas that have been approved or zoned with no setback or sideyard requirements, the sign may be located on the construction barricade or fence surrounding the site, even if that places the sign within the public right-of-way. No portion of the sign may extend above the barricade or fence.

Construction/Project Marketing Signs must be located in a manner that does not obstruct the view, for normal passenger vehicles, of

adjoining streets from the driveway of the site to the adjoining street.

Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the Community Development Director, may grant an exception of to the sign setback standards, but not the size or street orientation standards. In no event may Construction/Project Marketing Signs, subject to the setback requirements, be placed within the public right-of-way.

(5) ZONING RESTRICTIONS.

Construction/Project Marketing signs are permitted in all zoning districts. Upon project final approval by Staff, Planning Commission, or City Council, the Project Marketing Sign shall be installed for a time period of six (6) months. If a grading or building permit is not issued by the Building Department within six (6) months of the approval date, the Project Marketing Sign shall be removed. If a grading or building permit is issued by the Building Department within six (6) months of the approval date, the Project Marketing Sign is permitted until such time as the last temporary certificate of occupancy is issued for the project. If the sign was removed, it shall be reinstalled upon the issuance of a grading permit and shall remain until the last temporary certificate of occupancy is issued for the project.

If at any time during a phased project the sign is removed, it may be reinstalled as long as there is an open building permit for the project, and the last temporary certificate of occupancy has not yet been issued.

The Community Development Director or his/her designee may issue a six (6) month extension for the display of the Project Marketing Sign after the last temporary

certificate of occupancy has been issued upon the applicant's payment of a forfeitable deposit for \$5000. Such deposit shall be forfeited to the City if the Project Marketing Sign remains six (6) months beyond the date of the last Temporary Certificate of Occupancy.

(6) INFORMATION. For consideration as a Construction/Project Marketing sign, the construction area of the sign shall not exceed 12 square feet in size. The lettering shall not exceed four (4) inches in height. Information on the sign shall include: The name, address, and phone number of the contractor. The name, address, and phone number of the person responsible for the project. The name and phone number of the party to call in an emergency.

The marketing section of the sign may include a plat map and real estate information. A Construction Sign may not contain sale prices.

(7) DESIGN. Construction/Project Marketing Signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Construction/Project Marketing Signs, because of their larger size and the increased risk of disruption nearby, shall be mounted on at least two (2) four inch by four inch (4" x 4") posts with back bracing, or such other means that comply with the Uniform Sign Code's standards for installation. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(8) ILLUMINATION. Illumination of Construction/Project Marketing Signs is prohibited.

(D) **REAL ESTATE SIGNS.** Real estate signs do not require a sign permit, as issued by the Planning Department, but shall comply with the following restrictions:

(1) **SIZE.** Real estate signs shall not exceed six square feet (6 sq. ft.) ~~three square feet (3 sq. ft.)~~ of area on the exposed sign face.

(2) **HEIGHT LIMIT.** No portion of the sign shall extend more than six feet (6') above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").

(3) **NUMBER OF SIGNS.** Only one ~~temporary Real Estate~~ sign is permitted on any one parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION.** Temporary signs are permitted in any zone, provided that they are located a minimum of ~~twenty (20)~~ Ten (10) feet back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this ~~twenty (20)~~ ten (10) foot distance would be within a structure, the sign may be within three (3) feet of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(I) and 12-8-1(m). On vacant lots, where there is no structure, the sign shall maintain the twenty (20) foot setback from the street.

One real Estate Sign is permitted in conjunction with an open house. The sign shall may be displayed off premise, but not

within the public right-of-way, only immediately prior to and during the open house and shall be removed at sundown.

(5) **ZONING RESTRICTIONS.** Real estate signs are allowed in all zoning districts.

(6) ~~CONTENT.~~ ~~Real estate signs shall be limited to the name of the agent and/or agency. Prices are prohibited on real estate signs.~~

(7) **DESIGN.** Real estate signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(8) **ILLUMINATION.** Illumination of real estate signs is prohibited.

~~(E) PROJECT MARKETING SIGNS.~~ ~~Signs which allow for the initial marketing of projects under construction are regulated under the construction/project marketing signs. Please refer to Section 12-10-2(C) regulations stated for Temporary Construction/Project Marketing Signs.~~

(F) **SPECIAL PURPOSE SIGNS.** Signs promoting events sponsored by civic, charitable, educational, or other non-profit organizations may be erected on private property up to two (2) weeks in advance of the event being promoted. These signs shall be removed within three (3) days following the conclusion of the event.

(1) **SIZE.** Special purpose signs shall not exceed six square feet (6 sq. ft.) ~~three square feet (3 sq. ft.)~~ of area on the

exposed sign face.

(2) **HEIGHT LIMIT.** No portion of the sign shall extend more than six feet (6') above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").

(3) **NUMBER OF SIGNS.** A maximum of three (3) special purpose signs is permitted on any one parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION.** Temporary signs are permitted in any zone, provided that they are located a minimum of twenty feet (20') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty foot (20') distance would be within a structure, the sign may be within three feet (3') of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(L) and 12-8-1(M). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.

(5) **ZONING RESTRICTIONS.** Special purpose signs are allowed in all zoning districts.

(6) **CONTENT.** ~~Special purpose signs shall limit their content to the address and the name and date of the event.~~

(7) **DESIGN.** Special purpose signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x

4") in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(7) **ILLUMINATION.** Illumination of special purpose signs is prohibited.

(G) **YARD SIGNS.** Yard signs shall be displayed only immediately prior to and during the yard sale or garage sale, and shall be removed at sundown if located within public rights-of-ways to avoid creating a hazard to the public using the streets and sidewalks. Yard signs may not be displayed for more than forty-eight (48) hours continuously. Signs not removed after forty-eight (48) hours of display are deemed refuse. The owner or erector of the sign is subject to a fee per sign removal charge in an amount set forth by resolution if the sign is removed by the City as refuse. In addition, the owner or erector shall be guilty of a Class "B" misdemeanor of littering. Yard signs do not require a sign permit as issued by the Planning Department, but shall comply with the following regulations.

(1) **SIZE.** Yard signs shall not exceed ~~six square feet (6 sq. ft.)~~ three square feet (3 sq. ft.) of area on the exposed sign face.

(2) **HEIGHT LIMIT.** No portion of the sign shall extend more than six feet (6') above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").

(3) **NUMBER OF SIGNS.** Only one temporary sign is permitted on any one parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION.** Temporary signs are permitted in any zone, provided that they are located a minimum of twenty feet (20') back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty foot (20') distance would be within a structure, the sign may be within three feet (3') of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(L) and 12-8-1(M). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.

(5) **ZONING RESTRICTIONS.** Yard signs are allowed in all zoning districts.

(6) **CONTENT.** ~~Yard signs shall limit their content to the address and hours of the sale.~~

~~(7)~~ **DESIGN.** Yard signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(7) **ILLUMINATION.** Illumination of yard signs is prohibited.

CHAPTER 11 - BANNERS

12-11-1. BANNERS ON CITY LIGHT STANDARDS.

The City Planning Department is authorized

to administer the placement of banners on City light standards. Approval of all applications to display banners on City light standards, along Main Street and Empire Avenue, shall be given by the Planning Department only if all conditions in this section are met.

(A) **APPLICATIONS.** Applications shall be presented to the Planning Department in sufficient time to allow the termination of eligibility of the Sponsor, design review, fabrication of the banners and verification of the scheduling of their period of display. Sponsors will pay for the artwork, banner production, installation and dismantling of the banners.

Sponsors shall accept that the display period is contingent upon a workable arrangement within the overall schedule of other City banners as well as prior commitments to other outside sponsors. Prior commitments may preclude the desired display period of an otherwise acceptable sponsor's banner. Park City acknowledges that a sponsor's interest and ability to participate may be contingent upon a minimum period which would warrant the expense of the fabrication of the banners. Banners can be displayed for no more than three (3) weeks at a time. The display period will be based on a first come basis.

(B) **SIZE.** The Main Street banners shall be 29" x 72"; unless otherwise approved by the Parks staff. Banners along Empire Avenue shall be 24" x 36".

(C) **NUMBER OF BANNERS.** The number of banners to be hung for winter and summer shall be ~~fifty five (55)~~ sixty three (63) along Main Street and thirty (30) along Empire Avenue. Five (5) additional banners must be submitted for replacement.

(D) **ELIGIBILITY.** Banners displayed

in the Park City Main Street or Empire Avenue area shall be either: (a) those sponsored by, designed for and commissioned by, fabricated for, and installed by the direction of the Planning Department and Parks staff, or (b) those sponsored by outside entities (sponsors) that meet the terms and conditions set forth in this section.

(1) The eligible sponsor must be a non-commercial, non-profit entity whose primary purpose is the offering of cultural, educational, or entertainment enrichment to the community.

(2) The design of banners must be presented to the Planning Department, or a designated committee thereof, for review and approval. Artwork should be of sufficient size and show actual colors and banner material in sufficient detail to adequately represent the proposed final product. Artwork should be approved at least two months prior to hanging date. A written permit will be issued by the Planning and Parks staff. Fabrication and colors are to be within color guidelines of the Planning Department and Historic District. The design must be on both sides, or as otherwise approved by the Parks Department.

(E) **DESIGN OF BANNERS.**

Fabrication of the banners must meet the minimum standards adopted by the Park staff, or a designated committee of Park City Municipal Corporation. Fabric must be of a durable material to withstand snow and heavy winds. One and one half inch (1½") brass grommets should be installed on both bottom corners.

Banners must be sewn for mounting on existing brackets. A three and one half to four inch by 29 inch (3½" to 4" X 29") wide sleeve, or twenty-four inch (24") sleeve for Empire Avenue banners, at the top of the

banner is required to hang the banners on brackets. A sample will be provided by the Parks Department. Sponsors are required to contact the Parks Department for review of their proposal for compliance with the actual specifications.

(F) **INSTALLATION AND**

REMOVAL. Banners should be received by the Parks Department one week prior to the date of scheduled display. All banners on City light standards shall be hung by City personnel. The dates for the banners to be installed and dismantled will be arranged by the sponsor and the Parks staff. If the banner is not picked up from the Parks Department by the applicant or sponsor within ten (10) days after it has been taken down, the banner shall become the property of the City and will be disposed of.

The owner of a banner shall agree to assume full liability and indemnify the City for any damage to persons or property arising from the display of the banner by the City. The City is not responsible for any damage that may occur to the banner from any cause.

(G) **FEE.** A fee shall be paid to the City when the application is presented to the Parks Department before the applicant's reservation commences to cover costs associated with the installation and removal of the banners. This fee shall be established by the Fee Resolution. Checks shall be made payable to the Park City Leisure Services Department and submitted with the application.

CHAPTER 12 - MASTER FESTIVAL SIGN PLAN

Any person desiring permission to display temporary banners and signs related to an event on various dates at one location shall submit plans along with the application for a Master Festival License, which is issued by

the City. Parameters and requirements are stated within the Master Festival License Application and shall be reviewed by the Planning Department prior to the issuance of a permit.

CHAPTER 13 - HISTORIC SIGNS

12-13-1 HISTORIC SIGNS EXEMPT

Other than safety and structural requirements, the provisions of the Sign Ordinance may be exempted by the Historic District Commission for Historic Signs upon application for designation by the sign owner, and consent from the building owner.

12-13-2 HISTORIC SIGN REVIEW PROCEDURE

Upon filing an application, the Historic District Commission may determine that a sign is historic based on the guidelines below. Notwithstanding safety, maintenance, or structural regulations, a sign so designated by the Historic District Commission shall be deemed to conform with this Chapter.

12-13-3 HISTORIC SIGN CRITERIA

To designate a sign as historic, the Historic District Commission must make findings based on the following criteria:

- (A) The sign is at least 50 years old.
- (B) The sign possesses unique physical design characteristics, such as configuration, color, texture, or other unique characteristics.
- (C) The sign is of significance to the city and makes a contribution to the cultural, historic, or aesthetic quality or the city's streetscape.
- (D) The sign is integrated into the architecture of the building or the site.

(E) The sign is exemplary technology, craftsmanship, or design of the period in which it was constructed; uses historic sign materials (wood, metal, or paint directly applied to buildings) and means of illumination (neon or incandescent fixtures); and is not significantly altered from its historic period. If the sign has been altered, it must be restorable to its historic function and appearance.

(F) The sign is structurally safe, or is capable of being made so without substantially altering its historical significance.

12-13-4 REMOVAL OF HISTORIC SIGNS

Once designated a historic sign, and defined as an important characteristic of Park City's history, the building owner must receive Historic District Commission approval to remove the sign.

CHAPTER 13 14 - APPEALS

12-13-14-1. APPEALS.

Any applicant who believes a denial is not justified, has the right to appeal to the Planning Commission ~~or, if the property is in a Historic District, to the Historic District Commission~~; and to appear at the next regularly scheduled meeting for which proper notice can be given and agenda time is available. Intention to take an appeal to the Commission shall be filed with the Community Development Director in writing within ten (10) business days following the denial of the permit by the Planning Department.

Applicants may have any action of the

Planning or Historic District Commissions reviewed by the City Council by petitioning in writing within ten (10) business days following Planning Commission or Historic District Commission action on the sign permit. Actions of the Commission are subject to appeal and review according to the procedures set forth in the Land Management Code, Chapter 1.

CHAPTER ~~14~~ 15 - VIOLATION OF TITLE

12-~~14~~15 -1. PENALTY.

Violation of this Title is a Class "C" misdemeanor.

12-15-2 PENALTY FOR PLACEMENT OF HANDBILLS AND SIGNS ON PUBLIC PROPERTY

12-15-2 PENALTY FOR PLACEMENT OF HANDBILLS AND SIGNS ON PUBLIC PROPERTY

Handbills or signs found posted upon any public property contrary to the provisions of this section may be removed by the Police Department, the Public Works Department, the Parks and Recreation Department, or the Community Development Department. The person responsible for any such illegal posting shall be liable for triple the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost, in addition to any criminal fine collected under Section 12-15-1.



Ordinance No. 01-1

AN ORDINANCE AMENDING ORDINANCE 99-37 APPROVING THE SUBDIVISION OF THE COVE AT EAGLE MOUNTAIN PHASE TWO LOCATED AT MEADOWS DRIVE AND GALLIVAN LOOP, PARK CITY, UTAH WITH AN EXTENDED DATE OF EXPIRATION

WHEREAS, the owners of the property known as The Cove at Eagle Mountain II have petitioned the City Council for approval of a subdivision plat extension; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 28, 1999, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on July 28, 1999, forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 2, 1999, the City Council held a public hearing to receive input on the subdivision plat; and

WHEREAS, the plat approval expired on September 2, 2000.

WHEREAS, the applicant filed for an extension of the Plat Approval on August 29, 2000
WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subdivision project known as the Cove at Eagle Mountain Phase II is located on the east

side of Meadows Drive across from Gallivan Loop and is zoned RD-MPD.

2. The proposed subdivision consists of 42 units in a twin home arrangement and is consistent with the Quarry Mountain MPD.
3. New development creates a need for water and other utilities, and trail connections.
4. The units will be served by private streets.
5. The maximum floor area per dwelling unit is 4500 square feet plus 600 square feet for a garage.
6. The MPD approval included a requirement for a trails Master Plan.
7. The Planning Commission forwarded a positive recommendation on July 28, 1999.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code, the Quarry Mountain MPD and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

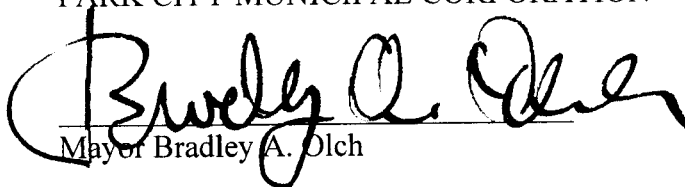
1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. Trail easements dedicated to the City must be approved by staff and shown on the plat prior to recordation.
3. A water line easement (30 feet permanent, 50 feet for temporary construction) must be approved by staff and shown on the plat prior to recordation.
4. A professional engineer must certify the as-built adequacy of construction upon completion.
5. A landscape irrigation and under drain system must be approved prior to construction.
6. A note must be added to the plat, subject to review by the City Attorney, City Engineer and Community Development Department and agreeable to the applicant, stating that hazards exist due to soil instability. The City Attorney will create a letter stating that this is sufficient notice of hazards.
- ~~7. Phase II will be incorporated into the Phase I HOA with amended CC&R's.~~
7. The applicant will record the subdivision at the County ~~within one year from the date of City Council approval~~ by April 11, 2001. If recordation has not occurred ~~within one year's time~~ by April 11, 2001, this approval and the plat will be void.
8. All other conditions of approval of the Quarry Mountain MPD are in full force and effect.
9. The trail from the open space near Round Valley to Meadows Drive remain open during construction.
10. Meadows Drive will be completed as per the approval of Phase III, known as Eagle Pointe.
11. Rock sorting operations within Gallivan Loop will be discontinued.
12. All grading and retopsoiling in Eagle Pointe outside of approved lots ceased on November 15, 2000, with seeding to be completed by June 15, 2001.

13. Extension of approved plan is granted with no changes. Any proposed changes will require that the applicant re-file with the Planning Commission and receive the appropriate approvals.

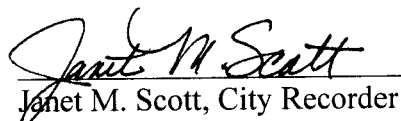
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of January, 2001.

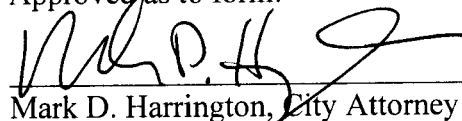
PARK CITY MUNICIPAL CORPORATION

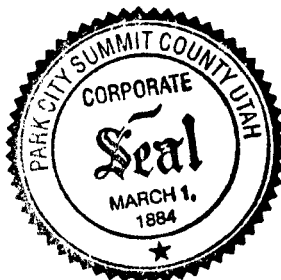

Mayor Bradley A. Olch

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



GENERAL NOTES:

1. THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY COUNCIL.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY RELOCATION OR PROTECTION THEREOF.
5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING STREETS AND SHALL BE RESPONSIBLE FOR ANY NECESSARY IMPROVEMENTS THEREOF.
6. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY NECESSARY RELOCATION OR PROTECTION THEREOF.
7. THE DEVELOPER SHALL MAINTAIN ALL EXISTING STREETS AND SHALL BE RESPONSIBLE FOR ANY NECESSARY IMPROVEMENTS THEREOF.
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GENERAL NOTES:

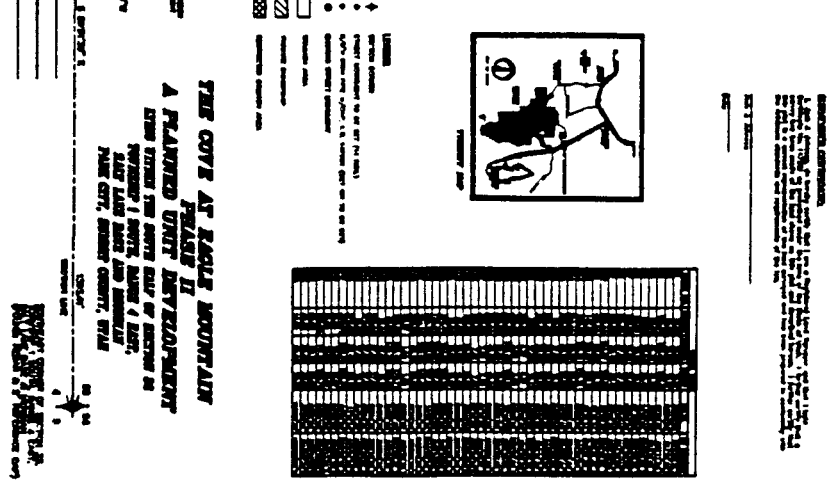
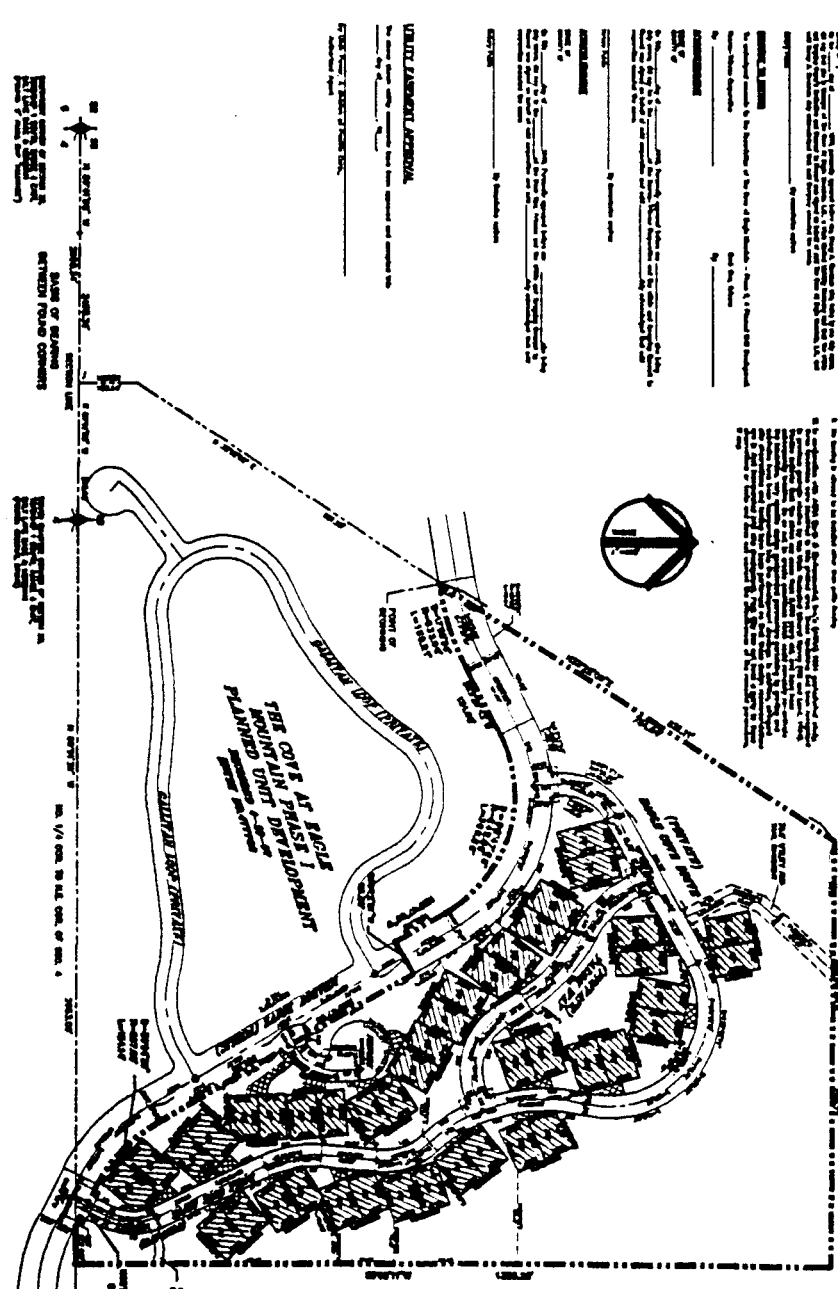
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2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	10/1/77	J. JOHNSON
2	REVISION	10/15/77	J. JOHNSON
3	REVISION	10/20/77	J. JOHNSON
4	REVISION	10/25/77	J. JOHNSON
5	REVISION	10/30/77	J. JOHNSON
6	REVISION	11/5/77	J. JOHNSON
7	REVISION	11/10/77	J. JOHNSON
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<p>CITY COUNCIL</p> <p>APPROVED BY THE CITY COUNCIL ON THIS DATE: _____</p> <p>AT _____ MEETING HELD AT _____</p> <p>CITY ENGINEER: _____</p>	<p>CITY ENGINEER</p> <p>APPROVED AND ASSIGNED BY THE CITY ENGINEER ON THIS DATE: _____</p> <p>CITY ENGINEER: _____</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ASSIGNED BY THE CITY PLANNING COMMISSION ON THIS DATE: _____</p> <p>CITY ENGINEER: _____</p>	<p>SEWER DISTRICT</p> <p>APPROVED FOR CONFORMANCE TO APPLICABLE REGULATIONS ON THIS DATE: _____</p> <p>SEWER DISTRICT: _____</p>	<p>APPROVAL AS TO POWER</p> <p>APPROVED AS TO POWER ON THIS DATE: _____</p> <p>CITY ENGINEER: _____</p>	<p>RECORDED</p> <p>FILED IN _____</p> <p>RECORDED AND FILED AT THE OFFICE OF THE COUNTY CLERK ON THIS DATE: _____</p> <p>COUNTY ENGINEER: _____</p>	<p>THE JACK JOHNSON COMPANY</p> <p>1777 North Loop West, Suite 2000, Houston, Texas 77002</p> <p>(713) 865-1000</p>
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